

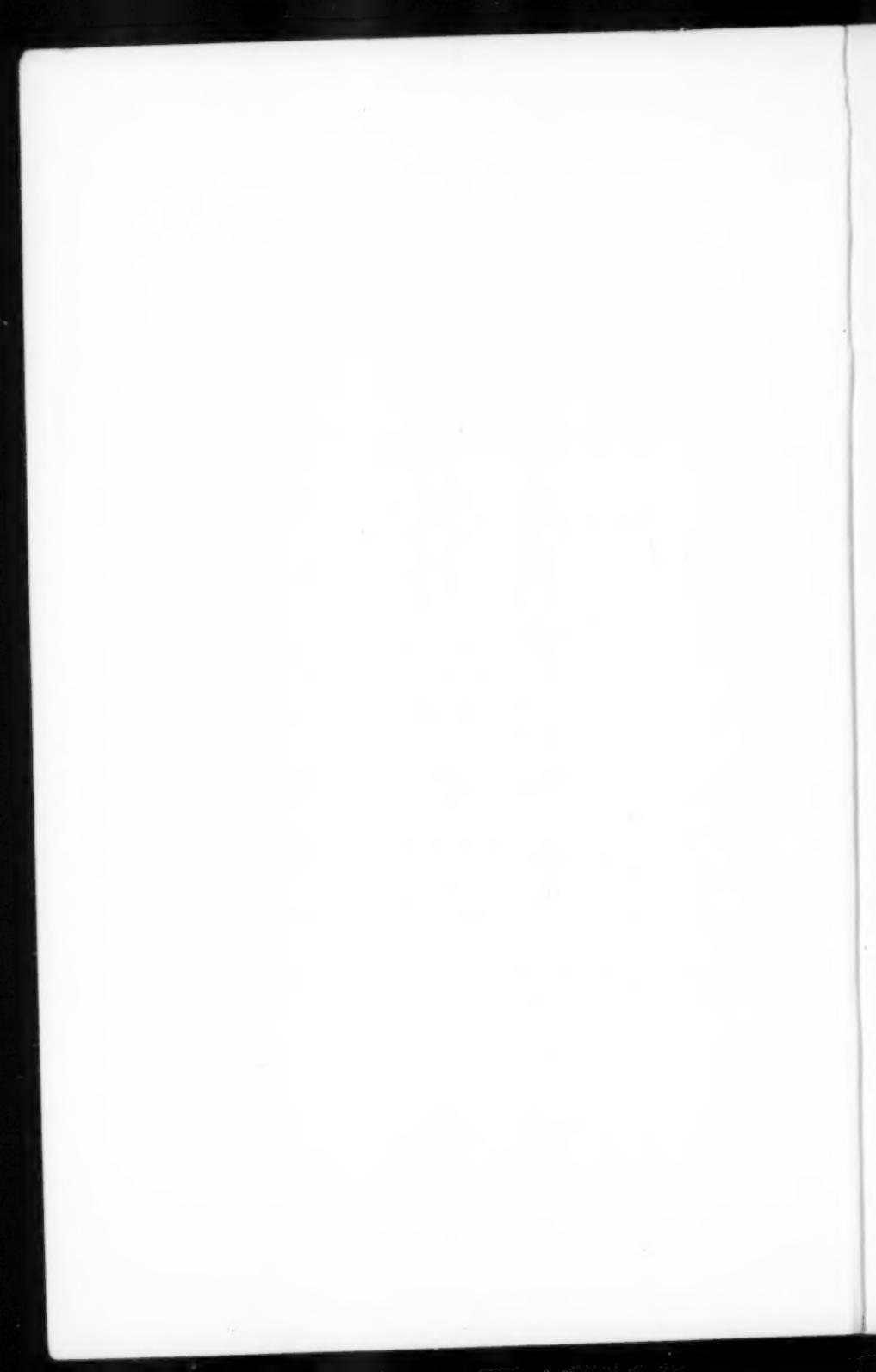
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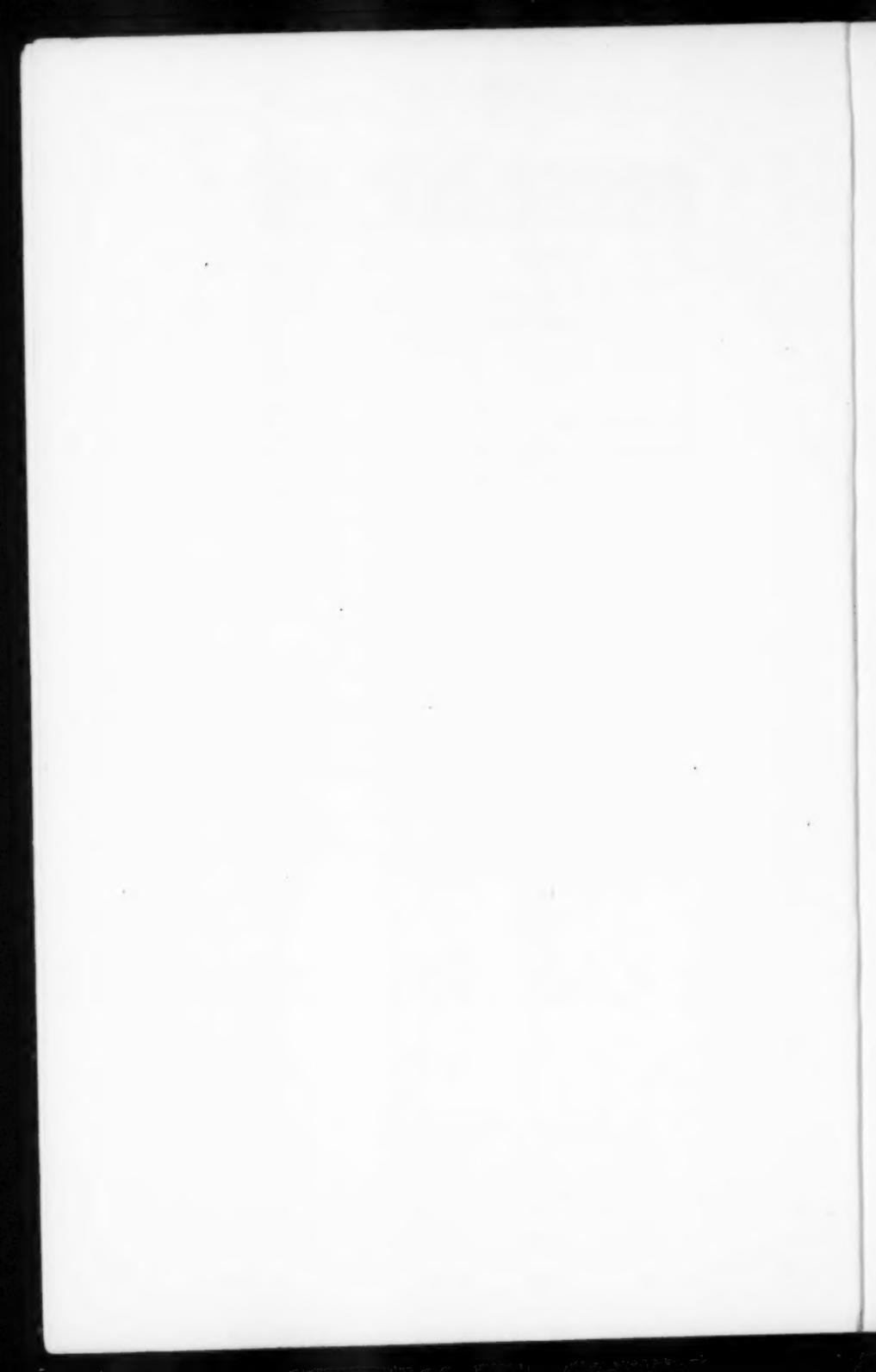


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## CONVERSATION WITH A MASS MURDERER

RALPH S. BANAY, M.D.

**O**N NOVEMBER 17, 1950, a 26-year-old television repair man, in a frenzy of rage, shot nine persons, killing five of them. His outburst was sparked by a long smoldering grievance against his in-laws over the estrangement of his wife and children. In the rural New Jersey community where he lived, he put four guns in a car, drove to his in-laws' home and, when they refused to let him in, opened fire, killing his father-in-law and wounding his wife. He then pursued his mother-in-law across the street to a house to which she had fled, killed her and his wife's grandmother and uncle and aunt, and wounded her 9-year-old niece. He then drove several miles to another town, charged into a third house, and wounded another uncle and aunt of his wife. He submitted to capture after superficially cutting his own wrists, was tried on one of several indictments and, despite high feeling against him in the community, was convicted of second-degree murder and sentenced to life imprisonment. In prison he studied law, carried on a feud with most of the five lawyers who had been assigned to defend him, and with the prosecutor, judge and other officials involved, argued on technicalities that his trial had been unfair and demanded a new trial on another indictment, although warned repeatedly that this course might result in a first-degree conviction and death sentence.

While this man, whom we shall identify as Ernest, was awaiting trial in 1950, the writer interviewed him at the request of defense counsel. Five years later, another interview was obtained in the prison, affording an interesting opportunity to observe what had happened to the man in the interval. The second interview was tape-recorded, and a transcript of its pertinent passages follows. Ernest is smaller than average, rather frail-looking, with dark hair and a pale complexion. He is distinguished only by his tenseness and excitability: he seems to be arguing all the time, rather than conversing; at the slightest provocation he raises his voice in aggressive disputation. He gives the impression that he is continually mistreated. Riding his strident ego, he shows no deference toward officials, lawyers and other superiors, but speaks as though to an equal.

## THE INTERVIEW

Do you remember when we were here the last time to examine you?  
Five years ago this month — around this time.

Well, would you be good enough to tell us what happened during the past five years.

The last five years. On January 7th or 8th I went to trial. The trial ended on January 19th. I was convicted and sentenced, and I was transferred to New Jersey State Prison on January 20, 1951, and I've been up there ever since. I worked in the shoe shop until three months ago, when they transferred me to the railway. In the meantime I studied up on reading and writing, because I wasn't too good before, and I studied a little law. It's the same routine over and over every day. In the morning you get up and eat, you work, come back, go to eat, then go to work and come back and are locked in for the rest of the day. The same proceeding over and over — there's nothing unusual on it — there's nothing I can say.

Well, how do you feel about this whole thing?

I don't think I should have got a life sentence to start with, if that's what you mean.

No, personally — I meant primarily to be locked in and confined. How do you feel about it?

I don't like it — I don't think nobody does. Nobody wants to be confined.

What do you think it does to people when they are confined?

It makes them bitter. Punishment never cured nobody. You can keep a man confined — maybe a little confinement — maybe six month, a year — it will help some people. Some people it'll only make them bitter. They got parole boards. They put a man in jail and then they set a maximum sentence and a minimum. So they're going to tell a man when he's rehabilitated. There's not such a thing as rehabilitation — not in this state, anyway. Well, how can a man be rehabilitated by placing himself, and locked up eight hours a day, or sixteen hours, twenty-four hours a day. Is that rehabilitation? That's revenge, that's all it is.

Well, if it were up to you — what advice would you give to the authorities — how to handle people?

Treat a man like a man.

But under what circumstances?

You put a man in prison, and a man makes a request or something. How do they treat him? They treat him like a dog. You go to talk to somebody, you ain't nothin'.

What do you mean, you are nothing?

Well, when you go in, first they try and make you lose all your friends.

If you got friends, they tell you who to write to. Then you can only write them certain things. Then you go to ask somebody for help; you go to them for help, you put a slip in, and whenever they feel like calling they call you. If you're sick they say there's nothin' wrong with you — you could be dying.

You mean that they don't treat you like human beings?

No.

Well, how do they treat you?

I'm not talking about myself — I'm talkin' in general. And I don't like to see nobody mistreated. In all my life I never seen — I never liked to see nobody mistreated.

Do you think you are mistreated here?

I wouldn't say that, but people is mistreated in a state prison. They even admit it. The warden before, that's one of the reasons he lost his job.

In what way are they mistreated?

They're beat, and fed pig slop. Over here in Westville they got piggeries, and sometimes that mess hall smells worse than the piggeries.

What's wrong with the food?

They call it stew. There's nothin' there. They cook the stuff — they get good meat — they get good potatoes — and they put it in a pot and boil it. So when they got garbage they just throw it in the trough — feed it to pigs. You complain — then you're an agitator.

Did you get into trouble?

No, I stayed out of trouble.

Did you complain?

Sure I complained.

Did they heed your complaints? Did they do anything about it?

No. They didn't.

To whom did you complain?

Complained to the warden. I went to the warden and asked him for law books. He said no good. I ask him why. He wouldn't give me no reason; he just said you ain't gettin' no law books. Then it took me a year to argue with the Attorney General, write letters to the Attorney General, and everybody before I got in. He finally called me out. He said I — I'm giving you permission to get law books. I know why I got the law books.

Ernest, does it upset you to talk about these things?

No, I don't get upset.

Does anything upset you at all?

I don't appreciate it. I don't like to see people mistreated.

Were you mistreated yourself?

I'd say I was mistreated when I got this life sentence — yes.

Were you mistreated in the institution?

I wouldn't say I was personally picked out and mistreated, no.

What are the complaints you have?

If I say I got complaints — everybody's got complaints. You got complaints, he's got complaints, everybody has complaints.

I'm not examining everybody; I'm examining you.

All right, just a minnute. You say you're examining me. What happens in the last five years? What's that got to do with what happened before that? So I'm going to try for what happened before that, not what happened since.

It's important to evaluate what you did during these five years.

I think I acquired a good education in the last five years.

I'm very glad to hear that. How did you do it?

I did it by myself. I studied myself; I wrote things — I'd get somebody else to check them. I studied the dictionaries; I improved on my writing by a lot of writing. That's something I didn't do on the outside. I hardly ever did any writing. Very seldom I did any reading. But I studied. I think I studied pretty good. I think I got quite a good education. But as far as being rehabilitated — I didn't need no rehabilitation to start with.

Did you have peace of mind during this time?

Nobody has peace of mind that's con — that's caged in.

In spite of the fact that you were disturbed and unhappy, you were able to concentrate on the book, is it right?

I wouldn't say I was unhappy, but I wasn't happy about being there.

But it didn't disturb you so much that you were not able to study? You see, there are some people here who aren't able to do anything. They are disturbed and brooding over things, and can't do anything else but gripe.

I never had anything on my mind to stop from studying. Once in a while, when I filed a brief or something, and I'd get a reply and I'd know it wasn't right, I usually got hot. So I'd just lay down and let it pass and then I'd get down and do my writing. There's a lot of times I'd get mad.

You said there is no such thing as rehabilitation. But when I read your life story, before I examined you the first time, I found that you got into difficulty many times. You had difficulty in the Service, and before you went into the Service. You were not able to accept authority; is that right?

I never accept authority — never, when it's misused.

When you talked about used and misused — you said you never accept authority.

Not when it's misused — no.

Don't you accept authority when it's right?

I accept authority when it's right. When it's misused, I don't accept it. When I'm right, I'll stick up for my rights. When I'm wrong, I'm wrong. But I want to be sure I'm right; I just don't want to be told that I'm wrong. I don't want somebody to say "This is wrong," and then turn around and do the same thing.

Look, if you don't accept authority, then how can you know what is right

or wrong? You might feel it's right, or you might feel it's wrong, but it has to be an objective authority who tells you it is right or wrong. Do you accept that?

I accept that. Here's what I mean. I don't take somebody's word because they got a high position that's sacred. I weigh what they say and I sort it out, and what is right what they say, all right. Now when it's not right, I disregard it.

But whose opinion would you take? There are some people who are in a high position and have the right to judge your actions. Wouldn't you take their opinion?

If it's right I'll take their opinion. When it's not right . . . I should know — if somebody's going to judge me — I should know how to judge me.

But Ernest, what do you expect is the measure of right or wrong?

You take things in general. I'm talking about certain things. I mean, certain things that happen to me, certain things that I read, I know they're wrong. I mean, by knowledge. I wouldn't say that I just don't have no respect for authority — what somebody says I'm going to judge — I'm just saying that's right or wrong when I don't know.

You said you *never* accept authority. Now, we all have to accept authority.

That was a misstatement. I mean, I accept any authority, but certain people that I know that has authority that don't deserve it and I would never recognize it.

Look, Ernest, law is authority. Do you accept law?

Yeah. Not all law, because a lot of laws are based on hypocrisy. They say the law don't command useless things, but the law does command some useless things.

But once a law becomes a law, and you live in that community, irrespective of your opinion about the law, you have to obey it. Do you accept that or not?

If it's right. If it's not right, I won't obey it.

What is your measure of standard of right or wrong? The law is law — you can't alter it. Are you willing to obey the law or not?

Right.

You said a little while ago, if it's right.

Not if it's misused. A law ain't nothin' but a piece of paper.

You see, there's a difference between the law and usage of the law. You were speaking of just the law itself. The law became law. Everybody in the community has to accept it.

Yes.

You said a little while ago, if it's right. You don't accept a law which is based on hypocrisy.

That's right.

Now, irrespective of whether it is based on hypocrisy or not, if it became

a law you have to obey it. Would you obey that?

Yes.

Well, then you change your mind.

No.

A little while back you said you wouldn't obey certain laws which you . . . I said some laws; I didn't say all laws. I said some laws. All right.

Now what are those laws? What is the measure of those laws? Which law is right and which law is wrong? How would you know it?

They got seven judges, right? They got judges on the Supreme Court. Do they all agree on it? So they got to be the same opinion.

That's the administration of justice. It has nothing to do with law. Law and the administration of justice are two different things. We are talking of laws; the law which regulates our conduct. Are you willing to accept it, irrespective of what you think privately of the laws? Are you willing to accept them or not?

But you would have to state a specified law. That is, I could disregard a lot of laws and a lot of laws I have respect for.

Do we have the right to disregard law?

Certain laws — not all laws.

Would you give some example. What laws would you disregard?

If I'm on a desert, and they pass a law that if I take a drink of water and if I do I'm goin' to die, so what am I goin' to do? I'm goin' to die and drink the water and die or else I'd die anyway.

They don't pass such laws. Give some other example.

I can't right off hand. I can't say what laws I would respect, and what laws. I won't. Because I mean it would have to come down to a certain thing — I can't say now that I'm going to respect a certain law two years from now. I might have respect for that law now and not have respect for it two years from now. I might say a certain thing now and have a different opinion of it two years from now.

Could you define what law is?

Law? Law is based on right and wrong.

Right and wrong?

Yes; the difference between right and wrong.

And how is the law made?

The law's made in a lot of ways. They say that law is law. They say it's not — that this is a country of law, not men. But it's a country of men. The law is made by men. It's interpreted by men.

Yes, but do you have any idea of what is the mechanism of making a law?

Somebody decides they want a law; they sit down and write it up. And then they take it to the right legislation and they pass it.

And then?

It becomes law. After so many votes in the legislation, it becomes law.

Do you have any idea what laws should pass the legislature?  
That would be hard to say.

Well, would you pass a law which protects a person's property?  
Yes.

Would you pass a law which would protect a person himself?  
Yes.

What would you do if an individual violated the law against a person?  
That's all according to what happened.

Well, suppose a man was assaulted — a man was hurt — or a man was killed. What would you do with the man?

That would be hard to say.

How would you evaluate it?

Well, if it was up to me. I mean, I'd evaluate it — I'd weigh all the facts. As far as we taking one life for somebody else's life — I mean, no. Because an eye for an eye. All right, when they got my eye, they got two eyes. So somebody has to collect two eyes for the eye they took from me. I don't think that penalty can be made by taking somebody — one person's life. I don't think that — like they say in law — one eye demands another eye. So then they have two eyes. So who's goin' to — then the law still requires a payment for those two eyes.

Suppose a man was hurt, or killed. How would you deal with the case?  
A man — it's all according to the case.

Well, in a case where that wasn't provoked.

What do you mean, where it wasn't provoked.

Well, somebody was killed, without the other person being provoked.

No — nobody — the only way — my impression is there is no premeditated murder. The only premeditated murder is committed in the court room, when a jury sits down and decides a man's fate, and then when he's taken to the death house, that is premeditated murder. The only other premeditated murder is by poison. A person has to think about it and feed them the poison. That is premeditated murder. But I don't believe that anybody in their right mind at the time can do something like that.

What would you think of a man who puts some gun in a car, and loads the gun, and drives two miles, and goes to a house and kills somebody. What would you think of that? Is that premeditation, or not?

No.

Well, the preparation was made to get the gun, put it in the car, drive to the place . . .

I'd answer my question. Say I would take two guns; I'd put 'em in the car, right? I set out — I got premeditation in my mind, right? I'd plan to murder. I'd go there — I'd meet the person in the doorway. I've already made up my mind I'm goin' to kill them. Where would I shoot them? Would I stay in and talk to them and . . . And I'd made up my mind — premeditated

murder. Would I go and argue with a person? It would look like it was me that was goin' to fight. There's no sense of arguing; we'd just get down and fight.

Well, what was the point of putting the gun in the car?

When I went to my in-law's house—I've already stated that I would go on a lie detector. I tried everything within the law. You say the law's right—I tried everything within the law to see my kids. I went to five lawyers—not one lawyer—five lawyers. I still didn't see my kids. So what could I do? So I went there to scare the people. If I'd went there to shoot them, I'd tell you I went there to shoot them. I'm only sorry now that I didn't.

But you scared the people too much. Some of the people can't come back. You actually pulled the trigger and killed them.

I said I ain't sure what happened that night. But if I went there to kill them, I'd tell you I went there to kill them. I didn't. I went there to scare them. But I'd made up my mind—my mother-in-law, they said, was shot across the street. I had four guns. Now where could my mother-in-law run if I'd made up my mind—premeditation murder. Where would she'd have went? I met her in the kitchen. She was the first person I seen when I went in that house. Where could she'd have went?

How do you know she was the first person you saw if you don't remember what happened?

Not when I went to the house. I said we was arguing and I blew my top. How much—how much can you—if I get you in that corner and keep poking you in the belly, poking you in the eyes, and what's going to happen—sooner or later?

But how did that happen?

I went to see my kids, the only thing I had in this world, and I had a right to see them. I wanted to see them. Some things I'd be agitated—same as you. You mean you could get a knife. I could provoke you into an argument about one of them.

Don't you feel that was an extreme reaction—a terrific explosion at the expense of other people?

Between sanity and insanity there's a lot of difference. Somebody can take so much. You put a man in a cell; you can take the timidest man in the world and put him in a cell and mistreat him, and what's goin' to happen? You don't feed him; you mistreat him; you go in and kick him. He's goin' to come back at you. You can take a puppy. He can be the nicest dog in the world. You pet him and everything, but if you start hittin' him he's going to bite you. You can take a bird that will protect its little; it'll go after a cat. Could you do it—because it's right? Because after a cat is going to die.

But didn't you travel several miles to some other house? The children were not in that house. Why did you drive to that other place? Where was

the other place?

Three or four miles away.

Why did you drive there? Your children weren't there.

Did I say I drove there?

You didn't say; those were the facts.

Look, like I tell you, some things can't be accounted for. Doctors can't account for them; nobody can account for them. Sanity is from way back. If I'd have went there to shoot anybody — like a certain thing — I don't want to hurt nobody. I didn't go there with malice in heart. That's where everybody — that's why I was convicted. That's why I was put on trial. Because I had every reason in the world to want to shoot my mother-in-law. That's why I was put on trial. I didn't go there with no malice in my heart.

Well, why did you go to this other place?

How do I know? Do you know what you're going to do tomorrow? You don't know whether you're going to be dead or alive. You never know what's going to happen. You know what a year from now you going to — you going to be insane or sane, or what you going to do? You don't know.

You mean to tell me that you didn't know what you were doing? All this time?

I actually don't know what happened that night. I said it before; I'll say it again.

You don't remember what happened. That's what you mean?

There's a few things that I know now I didn't know before. But I actually don't know what happened that night. How I got out of my in-laws' house I don't know. How I got ahold of that car I don't know.

Well, what is the purpose of your request now? What do you want to prove? You want to have a new trial? ....

This is not a new trial. They're trying me on another indictment. Well, I requested a trial over four years ago. I could have proved that my first trial wasn't a fair trial; it was not a fair trial.

Why?

But people got up on the stand and lied.

Who?

State troopers. My wife's uncle.

In what way? What were the lies?

Take the two psychiatrists: the state psychiatrist was even worse. They got up on the stand and said I told them I shot my mother-in-law, I shot my father-in-law. I told them a whole bunch of things. They talked to me at the most for thirty minutes. I told them that I heard on the radio that I shot my in-laws — my mother-in-law, my father-in-law, and all that. They got up on the stand and said I told them that. They didn't say I told them I heard it on the radio. They just said I told them that. And a lot of things that they heard right in the court room — what I'd say on the stand in the court room

— they got up and read a statement. They said it was my statement. That wasn't my statement. The law don't lie.

Why did they do it?

Why did they do it? They was getting \$100 a day. That's why they did it. They was working for the state.

Well, they got \$100 a day, but they could say anything they wanted. The state doesn't tell them what to say.

In this state they do. A doctor come up to the state hospital; he starts telling me certain things, and I told him that they was wrong. He said the only reason I come and testify at your trial is because you raised the defense of insanity. I said I did not. I said I didn't know I could raise that defense. He said that's the only reason . . . I said no. I said, "Didn't I tell you that I heard the shooting on the radio — that I shot these people? Isn't that what I told you?" He says, "Yes." I said "How come you deny it on the stand?" He said, "I didn't deny it on the stand." I said, "You better go back and read that transcript." And other things he told me that I know wasn't right. And he said, "That's right." Then he tells me, then why you come back in court and testify. He said you raised your defense of that justified homicide; I won't come back — I won't come and testify. He said you got awful smart all of a sudden.

You said the state told them what to say.

The prosecutor.

You feel that the prosecutor told whom?

The doctors.

What to say?

That's right. Not everything.

Was anybody else lying on the stand?

A detective.

And you feel that you got the sentence because they were lying?

Because they were lying because evidence was kept out of my case.

And what was the evidence that you wanted to have in the case?

There was a wire recorder — they made when they wanted the state — when the state troopers were questioning me. I was sitting in the chair just like this and the state trooper would ask me a question, and I wouldn't answer. He said, "Now you slapped so-and-so." And I'd just sit there. Now he said, "Now by shaking your head, that means you shot Pearl." Then he'd say, "Now you shot Michael; is that correct?" He said, "By shaking your head, that means you shot Pearl." Every once in a while I'm telling. I said I didn't shoot nobody. I said, "I didn't tell you I shot nobody — I said I'm not shaking my head or making my eyes, or nothing." So when he got up on the stand he gave the answers to his own questions. Why did they bring that wire recorder in there?

You had a chance to study your case. Did you shoot any of these people?

I don't feel I'm responsible for their deaths.

No, but I'm asking you something else. Do you feel that you shot them?

No. I don't feel that I shot them.

Who shot them?

If I had a clear head and I was thinking I was normal, I would say I wasn't responsible for their deaths. I wasn't. What actually happened that night I don't know.

Look, Ernest; I didn't ask you whether you were responsible or irresponsible at the time of the commission of the act. All I want to know is whether you accept the fact that you shot these people.

There's no doubt that I did. I was there. I had the guns and everything. I didn't say I wasn't there. I always said I was there; I had the guns. I wasn't responsible for their deaths. I didn't go there with . . . I studied some psychiatry. As long as there is a motive, it's premeditation murder. Somebody can have a motive for a lot of things. I don't like you. Does that mean I'm going to do harm to you because I don't like you? But that's what psychiatry says. As long as there is a motive . . .

Do you have any idea what happened; why you did this?

Look, I was sick. I tried everything within the law. If there was one thing that was always on my mind — from the day I come home from the Army — I lost my little girl. I mean, my little girl didn't know me. When I come home from the Army the first thing, I hadn't seen her for three years. All right. I went over to the house; nobody knew I was coming home. I went over to my wife's aunt's house; she was standing there. I knocked on the door. It's Joe; I didn't know who it was at the time. And he asked me what I wanted. I told him I wanted to see Doris. So he said, "For what?" I told him I just wanted to see her. So he let me in the house. And this little girl was in the sitting room — there was a little girl in there jumping up and down on the couch. And the little girl — I didn't know if it was my girl or not because I hadn't seen her for three years. She was only a baby. That little girl was jumpin' up and saying "Daddy Joe, who's that?" So then finally, in the meantime, Joe had called my wife. As she come in, I was standing in the door. She saw me and she looked at the kid, and she hollered "Darky." And as soon as she said "Darky," I knew it was my kid. I just walked out. And I always remember that.

Your contention is that at the time when this act was committed you were not responsible?

For me to be responsible, I had to know right from wrong. I say I didn't know right from wrong. I didn't go there with no malice in my heart. I tell you if I did I would have went there — if I'd have went there to shoot my mother-in-law, I had every reason in the world and I'm only sorry I didn't go there to shoot her before I did.

But Ernest, you know you have an explosive temper.

No, no. That's everybody else —that's not me. Everybody — somebody talks — now this is so-and-so. You say it's so-and-so. How do you know it's so-and-so?

No, I'm just talking about your past life.

No, no, no. I never lost my . . .

Well, why did you hit your superior in the Army?

Read the transcript. You'll find out why I hit him. There was four people beating on me. Not one, four. Beating on me with a club. What am I supposed to do, just lay down and die?

Do you know what the consequence is for hitting a superior?

They're beating on me. What am I supposed to do? Just sit here and take it, huh? I think — I don't believe in that turning the other cheek.

You mean you were mistreated in the Army?

That's right. Because I was once in a fight. Because one of the officers got hit.

Did they mistreat you anywhere else besides in the Army?

I was never mistreated — I mean, by any certain people.

How about your mother-in-law?

Sure, she mistreated me.

Well, then, why did you say that nobody mistreated you?

I don't mean everybody mistreats me. I got faults with people the same as you have faults with people. To some people I might find fault where you won't find fault. People you might find fault with, I won't find fault with.

But can you take the law in your hands?

No — no.

Did you take the law in your hands?

No, I didn't take the law in my hands. As far as going to see my kids, yes. But as far as going there with intentions of shooting anybody, I didn't take the law in my hands.

Were you informed that arrangements were being made at that time to give you the privilege of visiting your children? Did anyone tell you that you were very near to getting a legal ruling to give you the privilege of visiting your children? Did they tell you that?

That was never told me.

It was stated by the prosecutor that your wife said to you when you arrived at the door that night, "You go away and wait, and you'll be told when you can see the children and how much you'll have to pay for their support." Now, whether it was said or not hasn't been established, but that statement was made somewhere in the record. What is your recollection of that?

How could she come to the door and say that when she wasn't there? Like I say, I went into the back room. Like I told you the other day, my mother-in-law went out of the room twice to call my wife. She finally came

in the room. So how could my wife tell me to go away, I wouldn't see the kids. The only thing I remember, I asked my wife if she loved me. And she told me I was crazy. I asked her a couple of times that.

Ernie, do you remember what your wife told you?

My wife didn't tell me nothin'. She just kept telling me that I was crazy. But do you remember what you told her?

I asked her if she loved me.

And you don't remember anything else?

Then my mother-in-law started. My mother-in-law was arguing, my father-in-law was arguing there, and my father-in-law started to push me toward the back door, and I was arguing with them people. I don't know if my father hit me or not. I actually don't know what happened.

Where was the gun?

I pulled it out — I had it in my hand. I had one in each hand.

Where was it — in your pocket? Did you keep them in your hand all this time?

No.

Where were the guns?

In my pocket, they were.

Do you remember pulling out the gun?

Yeah, I remember pulling out one of the guns. And then — I guess I must have pulled out the little one. I guess I figured it didn't look big enough when we was arguing, so I pulled out another one. Why I did it I don't know.

You said that you don't remember what happened, but you remember up to the point when the shooting started.

No. Sometimes I say I ain't sure. Sometimes I think I heard a shot. More than once I lay down and I think about this thing. I try to think, and things what I know what they said, I try to piece them together. And things in my head, I try to reason it all out. And if what they said is right, or what I say is right. I mean — if I actually know what happened. I try to think, and I don't as to how I got into the house. Did I hear shots that night, or didn't I? I actually don't know. I think I heard a shot — I said I think. I don't know. I think I smelled gun smoke. I wasn't sure. I don't know. I actually don't know.

Do you remember driving from one place to the other?

No.

Do you remember using the gun in the other place?

No; I remember . . . See, you jump — you skip a lot of things. You said one thing here and one thing here. We go back to start — I mean, you'd have to start from about six weeks before this.

You told me that you were brooding over not being able to see your children. The day when these incidents started, you couldn't go to work

because you were very depressed.

That's right.

You were walking up and down in your room, and then you decided that you were going to do something about it. You got the guns in the car and drove to your wife's house to ask her to see the children, and if she wouldn't let you see the children, you were going to frighten her. That's what you told me. Do you want to tell me anything else?

I tell you, there's one thing that I always had on my mind. It was always in my mind. Right. Then after, when I got married, I had trouble after I got married. Right. I worked for two years on a farm; I didn't get paid. And I got a lot of abuse in that time. Then I left the farm. Right after I left the farm, I wanted my wife to come live with me. I stayed there because when I was going to leave they told me that if I want to leave — my one kid, at the time, and my wife just got to stay there. So the only reason I stayed 'cause my wife would cry and all things like that, and to try to make her happy, and try to get her on my side, I'd stay. So I stayed as long as I could. More than once I wanted to leave, I'd try to get places and everything. I even had got a place once, but she refused to leave. I was offered better jobs and everything, but my wife wouldn't leave. Whatever her mother said, that was it. So finally, I got fed up and I left. I was going to take my one kid with me, Michael. My wife grabbed the kid and, so there wouldn't be no fight or nothing, I left the kid there. And I left. The next day I went and seen the lawyer. I told him I want my wife and kid to come and live with me. The lawyer told me, wait and see what they going to do. So my in-laws called the lawyer over to the house, and he come and told me that my wife was going to divorce me. And that day I went and see another attorney. I told him I wanted to talk to my wife and see if we could straighten this out. He told me, if your wife will agree to that, you meet us in our office. I called my wife and she agreed to meet me in his office. I went there; I waited in the waiting room. He come out and he said, "Your father-in-law and your wife don't want to talk to you." And I could see them sitting in his office at the desk. I walked right out of his office, down the stairs and two doors over to the other attorney's office. I explained to him. So he said he'd find out what it was all about. He called them up, and they told him they wouldn't talk to me. And I told him I wanted to see my kids, and I was willing to pay support. He told me they didn't want no support. The lawyer told him some other things and then after he says, "The best thing for you to do is get another lawyer." So I went to another lawyer. I explained it to him. I told him I wanted to see my kids, and I know they wasn't going to let me see them. And I told him I was willing to pay support. He said, "All right; I'll write them a letter." I went over to my in-laws, and all this time it was only about my kids — my kids forgetting me. It was always on my mind. I tried every-

thing within the law. Every Wednesday I'd call the lawyer up on the phone. He told me to go over there with a witness; make them refuse to let me see the kids. I went over there, and they refused to let me see my kids. I stopped my father-in-law in the road one morning I was going to work. I asked him if I could see the kids. He says no. He says if I come around I'll get my head blown off. So I tried everything with law. The last time I was at the lawyer's office, he said, "I'll make out papers so you can see your kids." So I said, "All right; I'll come in and sign the papers." I asked him how long would that take. He said, "That'll take five or six weeks." I'd already been going to the man five or six weeks. So I said, "All right." I thought it was too long. I told the man I worked for I was quitting if I couldn't see my kids. So he went over and talked to them. And then he come and told me they wouldn't let me see my kids. And he told me the lawyer I was going to was my father-in-law's lawyer. And he says, "You better get another lawyer." I went to all these other lawyers, and was waiting for five weeks for this one to do something. He didn't do nothing I found out he was my father's lawyer. And I wasn't feeling too good at all; I was sick. I was throwing up and everything, 'cause I was worried. And then I went home; I laid down on the bed for a while, then I got up. I says, I want to see my kids; I don't want them to forget me. So I had the guns in the trunk. I got them. They was all together in an Army jacket, the guns and the ammunition. That's the way I used to pack them. Why I took them all, I don't know. And I went there to scare them. If I went there to shoot my mother-in-law and my father-in-law, or anybody, I'd tell you. And I'm only sorry now that I *didn't*! I got a life sentence for premeditation murder. And if I had went there to shoot them, with all the agony I went through by not seeing my kids, I'd have went there and they wouldn't have died as fast as they did. They'd have died a slow death.

I had all the reason — they stopped me from seeing my kids. All right. That — premeditation and malice. When I went there and had no malice for nobody, I went there to see my kids. It was the only reason I went there. I didn't go there to shoot nobody. I had three guns and a rifle. Since I've been convicted of first-degree murder, I'm only sorry I didn't kill them slowly.

Did you decide, since you did everything within the law — now you're going to do something outside the law?

The prosecutor — even the prosecutor said it. He said the man did everything within the law. He wouldn't say it in a court room. He said, "The man did everything within the law; I'd probably done the same thing he done." All the state troopers said the man did everything within the law. Then after, they said why not come to them. I went to everybody I knew to see my kids. What could I do? You say the law — yeah, the law always wants to help you after, but they never want to help you before.

Well, did you achieve your purpose by doing this?

What purpose?

Seeing your children.

No, I didn't see them.

You wanted to see the children. That was your problem.

That's right.

You wanted to frighten them. You frightened them. Can you see the children now? Did you think it out, what might come out of it — a man who has a violent temper, has a gun in his hand, wants to frighten somebody? Did you think by doing that you would achieve your purpose?

I thought so at the time.

How do you feel about it now?

If I had to do it over again, I don't know. I got to be placed in that same position.

But how do you feel about it *now*? Was it the right or the wrong thing to do?

It wasn't the right thing.

If you do an irresponsible act, what assurance do you have that you're not going to do another irresponsible act? "

Everybody does irresponsible acts. Everybody. Not stupid people in jail — there are smart people. There's scientists in jail. There's lawyers in jail. There's judges in jail. Just because you make a mistake once, it don't mean you're going to make it the rest of your life. That's why a man makes one mistake in life, he's done. They forget about all the good the man does in his life as long as he makes one mistake, that's the end of it. And if he ever gets in trouble again, they look at one mistake. He can be a saint all his life for fifty years and one mistake. If you make one mistake in your life they'll forget about all the good you've done in the past.

Do you remember how many people died? How many people were killed?

How many people? Do I know now? Yeah!

How many?

Five.

Five. And how many were wounded?

Four.

Four. That's nine people. Nine people were hurt.

Right.

But do you feel it is fair, that if a man has such violence within — to give him freedom? Nine people — that's many people being seriously hurt. If you have a car, and you drive the car so recklessly that nine people have been hurt, would you give a driver's license to that man again?

How many men has went to prison for murder came back with the same thing? How many?

Quite a number of them.

How about all the men that go to jail for manslaughter — second-degree murder. They all get out. How many of them go back? Maybe one or two per cent?

Seventy per cent of the men who were in prison return to prison.

Not for murder. For other crimes — not for murder.

I refer to the man who gives evidence that he is not responsible and commits a very serious act against other people. Is he a safe man to be at large?

It's all according to the case. What's all the war — what was that? It was nothing but murder. I know a soldier who killed sixty-some people. Is it safe to let him out? Is it safe to bring him back? A man gets a medal for killing 67 Japs or Koreans. So, is it safe for him to run around, because he killed 67 people? Another man gets a medal — he killed five. Another man sunk a battleship. What's that? It's murder. All right, so is it safe for him to run around? So you see, because he done that, he shouldn't be back in society. If that's so, them jails should be full, and the bughouses should be full.

Don't you make any difference between war and peace?

Wait a minute — it's still taking life.

I'm just asking you. Do you make any difference between war and peace?

I'm talking about the difference between taking a life and not taking a life.

In war, the principle is: if you don't kill the enemy, the enemy will kill you. Nobody wanted to kill you, here.

It's still murder.

Yes, but you're evading the question. I want to show you the difference in the circumstances — military life and civilian life.

Wait a minute — you're saying because a person killed nine people, no matter where they killed nine people — like a man flying over when he bombed Hiroshima, or wherever that was. What did they clear out? About fifty thousand people: children — babies — everything. They didn't care about who it was. So should that man go back in society?

I asked you a question, Ernie. What is the difference between war and peace? In war, your life is threatened.

It's not always threatened. When a man flies over with a bomber, is his life threatened? He was told to do something. He went and done it. Was his life threatened? He just went and committed murder.

In combat a man's life is threatened; therefore he will try to kill the person who is ready to kill him. Is it right?

Right.

Nobody wanted to kill you. Your predicament was different. You were very unhappy, very depressed, because you couldn't see your children.

What would you do if you was in my place?

I would go to court and wait until the court gave permission to see my children.

You say that now, but if you was laid in the position, you can't say that. How do you know what I would do?

How do you know what you will do? How do you know what I'll do? You say, now how can they place me back in society? How do they know I'll never be in trouble for the rest of my life?

What do *you* think about a man who says he is irresponsible and commits violent acts? Is it safe to place him back in the community? What do you think?

I would say it was all according to the case — the circumstances.

Well, the circumstances were that you lost your head.

Right.

You wanted to frighten people, and you overdid it. You know, temperament is something very closely fixed in the personality. A man who is explosive, who is excitable, can . . .

Where can they ever show that I was explosive, and I was excited? If people walk up and down my feet, I let them walk a long time. Then I tell them to get off. If they don't get off, why then we got to do battle. The same thing like you. I tell you I get you in that corner; I don't feed you; I keep hitting on you; finally, later you going to come back at me.

But I can come back at you with legal means. I don't have to take the law in my hands. If you sock me in the jaw I can have you arrested, tried for assault, and put in jail.

But what you going to do while I'm beating on you, though? You just going to stay there?

I would try to defend myself.

That's it.

But nobody beat you. Nobody did anything.

You say I got a violent temper. Where's this violent temper I got? Because I was in some fight?

Don't you think that's violent, if a man shoots nine people — kills five people, and . . .

We're not talking about that. You talking about before. I'm not talking about this.

What I'm talking about is this: that was the evidence of violent temper.

That's not evidence of a violent temper.

Well, what is it evidence of, then?

Like I say, it's all different. You see, you placed in a position. You don't know what you going to do at certain times. Nobody knows what they're going to do. If everybody knew what they were going to do, this world would stop going around. 'Cause you could say you going to do a certain thing. You can say you going in that court and do a certain . . . you don't

know if you can do it or not. You don't know if you going to be healthy tomorrow or not. You might get a heart attack and die.

What do you want now?

I want these indictments thrown out.

On what account?

I demanded a trial for six months — for eight months. The law says I was entitled to a speedy trial. I demanded a trial; it was denied me.

And you want to have the indictment thrown out because they didn't try you within a limited time?

That's right. What the law says. You say I got legal recourse in law. I had four lawyers; every one of them say I'm right.

What if you quash this indictment? They bring you up for trial and try you on the other case. Suppose they try you for premeditated murder; what will you do then?

What can I do?

Well, they can send you to the electric chair.

Well, can I stop them?

Yes, you can prevent it. The point is not to bring about a trial which would endanger your life. How do you feel about that?

If I lose out, I feel that I've done wrong. I mean, that I've been wrong. Because in law I'm right. I demanded a trial; I didn't get it.

Suppose the outcome of your action would be that you were put on trial for murder, first degree, and you were convicted on the charge? Through your action the trial took place, and conviction in the first degree, which carried a mandatory sentence of death. How would you feel about it? Would you feel it was the wise thing to do?

In one way, no. Before it was wise — before I demanded trial. It's not wise now.

It is a fact that when you began to ask for a trial, and later for a dismissal, you were told by your brother, and by others, that if you persisted in that you might get a trial and that might end in the death penalty. And you said you didn't care; you were willing to put your life at stake.

I was willing to put my life at stake when I demanded a trial. Because at that time everybody's memory was fresh and I could get witnesses. At this date I don't think I can get a fair trial.

Well, how do you feel about it now? Do you wish to reverse all these things if you can?

Sooner or later it has to happen. The prosecutor brings me to trial any time he wants to — the prosecutor moves for a date. Even if I didn't demand a trial, the prosecutor could still ask for a date.

Maybe they won't send you to trial — ten years from now — sixteen years from now. Why should you gamble with your life? And is it wise?

I think I was right — I done right.

Now, I'd like to ask you a question. It is popularly believed that a man who killed somebody else is haunted by the feeling of guilt about murder. How do you feel about it?

I've always said I don't believe I'm responsible for them deaths. I never felt that I was responsible for them. I never lost no sleep thinking about it. I've worried and things like that, but it's not over that, it was over other things.

You worried about yourself?

No.

You worried about the children?

That's one thing I've always worried about.

But the fact that you killed these people didn't bother you at all?

Because I never felt that I was responsible for it.

The fact is that these people died on account of your act. Do you feel upset about that, or not?

No.

Did you also tell your attorney that you must have been crazy to do it the way you did, and that if you weren't crazy you would have killed them with a slow death — not shot them down?

This is what I said: I was found guilty of first-degree murder, so now I'm only sorry that they didn't die slow instead of fast.

Have you ever been sorry that you killed Pearl?

No.

Are you sorry that you killed *any* of the five who died? Mike?

No.

Are you sorry you killed Marian, who lived across the street and was your wife's aunt?

Yes, I mean I had some feeling for the people; I don't think they should be dead — all except my mother-in-law. I think she should be dead. But the rest of them, I have a little feeling — I think they should be alive and all, but I never felt — I wouldn't say actually sorry, because I don't feel I'm responsible for it. I've always said that. I never thought about it — I mean, it never worried me or anything.

Why do you hate your former attorney so much?

I'm on trial for my life. I've got a lawyer. He's supposed to investigate my case; he's supposed to get witness — I told him witnesses to get. He wouldn't even go talk to them. I asked him to appeal my case; he wouldn't do it.

But he did very well with you, you know. The chances were very much against you at that time. The popular feeling was against you. And he was able to get a fairly good sentence for you. Why do you hate him so much?

For the things he done.

Don't you appreciate what he's done to save you from the electric chair?

He didn't save me from the electric chair; my wife saved me from the

electric chair.

How?

By sittin' in that courtroom and laughing every day — and giggling.

You told your new attorney that if you ever get out, you'll spend the next twenty years of your life trying to get your former attorney disbarred.

I didn't say that.

What did you say?

I said I want to win this case, and I said I'll spend the next twenty years of my life — what you call it — trying to get my former attorney disbarred.

You have convinced yourself that the prosecutor framed you and put false testimony in the first case against you, knowing that he was doing it?

I ain't *convinced* myself; I got proof.

And you've convinced yourself that the judge who presided over your trial was unfair to you, and became your personal enemy in the conduct of the trial?

I wouldn't say he became my personal enemy, but I'd say he's prejudiced though.

And since the trial, since you were in prison, he has been very unfriendly to you in all correspondence?

That's right.

Have you ever threatened him in any way?

Why should I threaten?

Well, you threatened to disbar a lawyer, didn't you?

Oh, because I think he's in a position where he can worry a lot of people. I know people that gave him a lot of money to represent them, and he didn't do nothing for them.

Weren't you worried a little bit that if you continued to agitate, you might get tried and might go to the chair?

Naturally nobody wants to die. I'm worried now!

If you were worried, why didn't you stop and leave everything alone, as they were telling you to do?

I was right. Nobody can show me where I'm wrong.

## OBSERVATIONS

In the first interview, five years before this one, Ernest was somewhat in a daze. The tone of conversation at that time was moderate, almost submissive. He tried to give a reasonable account of himself from early childhood, mentioning how the aura of death had surrounded him during all those years.

He was born a "blue baby," was believed to be dead at birth, and his survival surprised his family. His own account indicates that he was unwanted. From the age of 6 or 7, in his father's undertaking establishment, he saw bodies strewn on tables in the basement of his home, and watched his father and uncle in the act of embalming them. Vivid childhood impressions of this kind haunted him, probably with morbid distortions.

In school he was teased by his classmates: his books were snatched away, he was hit on the head and epithets were chalked on his back. He bore the traumas of the underdog, the runt perpetually persecuted. He didn't fight back; he said: "A lot of people thought I was a sissy and picked on me. They had to fight somebody and thought it was smart. I didn't like to fight; *I was afraid I would hurt somebody.*"

He was beaten by his father, and ran away from home and school. Once he was unconscious for six hours after a beating. Later he was sent to a reform school as a chronic runaway.

All this he related in a conversational tone. When the emotionally charged issues — his wife, his family and his multiple homicide — were discussed, he became more aroused or weepy, but never verbally assaultive. He said: "I don't know; in the last month I was going crazy — going buggy in the store" where he worked. "I used to stay there from 9 a.m. to 5 p.m. going buggy. I called my uncle to keep me company, called my friend to keep me company. I used to go down the road and think of the children. When people had service calls, I couldn't be bothered. I would go right on thinking of my children and my wife."

He said his mind went blank at the time of the shooting. His one recollection was of smelling gun smoke. "When I was told I shot five people and wounded four, I couldn't believe it. I used to ask myself, 'Is it true?' I was afraid to ask; I thought they would think I was crazy. When they told me I was indicted for five murders and four assaults, I couldn't actually believe I did it."

Asked "What do you think will happen to you?" he replied: "I know what's going to happen; they are going to put me in the electric chair." When asked "How do you feel about that?" he said, "There ain't nothing I can do."

Now, after five years of imprisonment, the ill-tempered and explosive but

happy-go-lucky Ernest has turned into a harsh, embittered, inflexible and demanding imperator, all of whose energies have been siphoned into one channel: to show that everyone — the community, the court, the attorneys, the examiners and the witnesses — were all in the wrong. He himself is in the right, and there is nothing that he can be held responsible for. It is not an appeal any more, but a steel-like thrust against everyone involved in his case. The feelings of inferiority implanted in his childhood — unwantedness, derision, fancied persecution and extreme punishment — have grown to a torrent of hatred, essentially directed against himself but projected against his appointed enemies.

The man who wept at times during the first interview now grieves that his victims died so quickly and did not suffer slow torture. If it could be done over, he would prefer to inflict a more painful execution. Regret or sorrow for his murders? None at all, save for a glimmer of pity for the 9-year-old niece he shot. Ernest is another exemplar of the fallacy, often observed by investigators, in the myth that such killers are haunted by remorseful visions of their victims. "But look at what you did to them," he was reminded. "But look at what they did to *me!*" was his quick exclamatory response. His wounded feelings, the psychological pain of his deprival, his unreasoning intolerance of the scorn of his wife and her family — these imponderable grievances outweighed in his scales the substantial fact that five persons died and four were wounded at his hands. His physical confinement has unleashed further his fury of aggression, now directed toward not only his own but the entire human family.

Five years ago, at the time of the murders, I felt that Ernest had committed a symbolic suicide. In a way he was looking forward to the electric chair. His life-term sentence negated this subconscious wish, which appears again in his blind insistence on another trial on other first-degree indictments. Since our interview, the courts have disposed of this demand by imposing additional life sentences on the other indictments. So Ernest is finally deprived of the doom he has so ardently courted. Will his wish for destruction be also summarily ended? Probably not. But his will to die now encompasses the notion that others should share his destiny.

## PORNOGRAPHY

WILLIAM H. HAINES, M.D.<sup>1</sup>

**W**HAT is pornography? The *Encyclopedia Sexualis* describes "the Pornographi" as "those ancient Greek painters who affected the courtesan or harlot as a portrait subject."

D. H. Lawrence, in his essay on "Pornography and Obscenity,"<sup>2</sup> writes: "What they are depends, as usual, entirely on the individual. What is pornography to one man is laughter or genius to another. The word itself, we are told, means 'pertaining to harlots' — the graph of the harlot. But nowadays, what is a harlot? If she was a woman who took money from a man in return for going to bed with him — really, most wives sold themselves, in the past, and plenty of harlots gave themselves, when they felt like it, for nothing. If a woman hasn't a tiny streak of harlot in her, she's a dry stick as a rule. And probably most harlots had somewhere a streak of womanly generosity. Why be so cut and dried? The law is a dreary thing, and its judgments have nothing to do with life."

In the *Encyclopedia of Aberrations*<sup>3</sup> pornography is defined as "A form of deviational behavior which consists of the production of obscene material in the form of art or literature. This is done for the purpose of monetary gain. Pornography has as its aim the stimulation of the sexual emotion by pictorial art which depicts sexual relations, or literature which describes intimate sexual scenes. Suggestive language is used for the express purpose of arousing sexual feeling in a reader. Pornography appeals to those whose sexual feelings are not at a normal level, and who require artificial stimulation by the formation of sexual fantasies. Individuals who are interested in pornography have a libido which is fixated at the paraphiliac level."

Karpman, in his book "The Sexual Offender and His Offenses,"<sup>4</sup> in defining "obscenity and pornography" quotes Eliasberg, who described pornography in 1942 as: "The utilization of obscene and immodest writing and pictures for purposes of arousing and enhancing certain sexual feats that take place in actual sexual intercourse."

"Obscenity consists of the expression, representation or display to others, in certain context or situations, of something culturally regarded as shocking or repugnant."

He also quotes Honigmann's definition, which appeared in 1944:<sup>5</sup> "Pornography appears to be correlated with attitudes which tend to conceal all mention of the processes of sexual interaction. Tabooed areas of genital and sexual behavior appear to be culturally associated with aggression expressed through obscene verbal insults. Genital and sexual humor represent

<sup>1</sup> Behavior Clinic of the Criminal Court of Cook County, Chicago

the overcoming of sexual taboos through amusement in prescribed social situations."

**L**AWRENCE continues in his essay: "But even I would censor genuine pornography, rigorously. It would not be very difficult. In the first place, genuine pornography is almost always underworld, it doesn't come into the open. In the second, you can recognize it by the insult it offers, invariably, to sex, and to the human spirit.

"Pornography is the attempt to insult sex, to do dirt on it. This is unpardonable. Take the very lowest instance, the picture postcard sold underhand, by the underworld, in most cities. What I have seen of them have been of an ugliness to make you cry. The insult to the human body, the insult to a vital human relationship! Ugly and cheap they make the human nudity, ugly and degraded they make the sexual act, trivial and cheap and nasty."

"However! We take it, I assume, that pornography is something base, something unpleasant. In short, we don't like it. And why *don't* we like it? Because it arouses sexual feelings?

"I think not. No matter how hard we may pretend otherwise, most of us rather like a moderate rousing of our sex. It warms us, stimulates us like sunshine on a grey day. After a century or two of Puritanism, this is still true of most people. Only the mob-habit of condemning any form of sex is too strong to let us admit it naturally. And there are, of course, many people who are genuinely repelled by the simplest and most natural stirrings of sexual feeling. But these people are perverts who have fallen into hatred of their fellowmen; thwarted, disappointed, unfulfilled people, of whom, alas, our civilization contains so many. And they nearly always enjoy some unsimple and unnatural form of sex excitement, secretly . . .

"So we can dismiss the idea that sex appeal in art is pornography. It may be so to the grey Puritan, but the grey Puritan is a sick man, soul and body sick, so why should we bother about his hallucinations? Sex appeal, of course, varies enormously. There are endless different kinds and endless degrees of each kind. Perhaps it may be argued that a mild degree of sex appeal is not pornographical, whereas a high degree is . . .

"Then what is pornography, after all this? It isn't sex appeal, or sex stimulus in art. It isn't even a deliberate intention on the part of the artist to arouse or excite sexual feelings. There's nothing wrong with sexual feelings in themselves so long as they are straight-forward and not sneaking or sly. The right sort of sex stimulant is invariable to human daily life. Without it the world grows grey. I would give everybody the gay Renaissance stories to read. They would help to shake off a lot of grey self-importance, which is our modern civilized disease."

Again Karpman describes pornography as "a form of psychic masturbation, which frequently leads to physical masturbation. As a sexual offense, it

usually takes the form of a violation of the postal laws, though it sometimes involves the defacing of public buildings and the commission of public indecency, in which case it has a certain indirect relation to exhibitionism; for while the exhibitionist exposes his own sexual organs in public, the perpetrator of obscenity draws pictures of imaginary ones on walls, fences, etc., or scrawls invitations to, or descriptions of, lewd acts. But his behavior represents an end in itself, as does each of the other paraphilias, instead of being partial impulses which they originally were; (that is essentially what makes them paraphilias). They are all divorced from biological considerations. They are abortive and, in the eyes of the normal individual, senseless avenues of sexual gratification — erotic blind alleys, as it were — and in nearly every case they either violate law or involve auxiliary activities which violate law."

**I**N MY OWN office building in the Loop, it is almost a daily occurrence to see obscene drawings at the stairway level leading to the ladies' restroom, and occasionally at the level leading to the men's room. These are washed off, only to reappear.

London and Caprio in "Sexual Deviations,"<sup>6</sup> state: "Pornography as a sexual deviation applies to those sexual deviates who for the purpose of monetary gain print and sell pictures of nude men and women indulging in sexual intercourse or other acts of sexual intimacy, for the purpose of causing sexual excitement to the purchaser of such pictures . . . Pornography holds an attraction for many persons because it gratifies the residual of the polymorphous perverse sexuality in every human being. It gratifies the scopophilic instinct in many individuals; in others, pornographic literature stimulates the formation of sexual fantasies and thus increases their urge to masturbate. People who are morbidly interested in or collect pornographic art and literature have a libido that is fixated at the paraphilic level (psychic auto-eroticism)."

Dr. Albert Moll in his book, "The Sexual Life of The Child,"<sup>7</sup> written originally in 1912, states: "It is unfortunate that such products as obscene books and pictures obtain a wild currency in schools, in part as printed pornographica and in part pass from hand to hand in the written form." He is describing conditions in Germany and states that in the girls' schools come reports of thoroughly obscene writings, circulated between the ages of 12 and 14, in manuscript form. He adds: "It can hardly be doubted that immeasurable harm was done to children in this way. This is shown by the fact that half-grown boys often buy such things and circulate them among their school fellows.

"It cannot be contested that the diffusion of these things among children involves serious dangers alike to their morals and to their health. Speaking generally, upon adults pornographic objects have rather a repellent than a

sexually exciting effect. In the case of children in whom no sexual sensibility has yet been developed, they exercise no sexual stimulation but may later give rise to ill effects. But it is to ripening children and young persons who do not yet understand the sexual life, but to whom it is first displayed in this form, that such pornographic objects are especially dangerous. Thus we find that many offenders against the sexual morality show children obscene pictures in order to excite them sexually and to render them compliant. Such sexual excitation is *per se* bad for the child's health, but the moral dangers are even more important. Children who have become familiar with such obscene objects may perhaps suffer in consequence from an inadequate development or even from a complete inhibition of the higher psychical elements of the sexual life. The grave injury inflicted on children by these pornographica can suffice to show that the nude in art has no necessary connection with this danger from pornographic objects; although unfortunately for business reasons, many persons hypocritically attempt to justify by false reference to the interests of art, drawings of the nude really intended to furnish erotic stimulus."

**B**LOCH in his chapter on "Pornographic Literature and Art in the Sexual Life of our Time,"<sup>8</sup> quotes Hans Burgkmair: "He who devotes his talents to the glorification of lust is like one who crowns a pig in the midst of a dismal swamp." After considerable discussion of pornographic works and literature, he states: "Side by side with these higher pornographic works there exists also a lower kind — obscene garbage writings and pornographic pictures of the worst possible kind, such as the picture postcards, 'act photographs,' etc., in which all possible sexual perversities are represented, either in printed matter or by pictures, (masturbation, poses, lubriques, representations of nude portions of the body, copralagnistic and urolagnistic acts, bestiality, sadism, masochism, pederasty, incest, fornicatory acts with children, orgies, obscene paraphrases or proverbs, rape, etc.) . . . They are manufactured in plants in Germany, Belgium and Spain. The dangerous character of these articles is indisputable. They have a suggestive influence and stimulate those who look at them to imitative acts. They may thus, directly, give rise to sexual perversities."

He concludes: "How are we to counteract the moral harm done by such literature? I consider all the efforts of societies for the suppression of immorality to be illusory and two-edged for they always fail to attain their end and, in addition — unfortunately, a matter of which there is no doubt — they endanger the freedom of art and science. All measures calculated to keep away from children and immature persons, books which might serve to give rise to sexual stimulation are worthy of support; and it must be remembered that for children and immature persons, scientific books, religious writings, as for example the unexpurgated Bible — and also illustrated comic

papers, etc. — *may* be dangerous. But for the most part all prohibitions, and the whole campaign against immorality, serve only to favor pornography. The stricter the measures taken against it, the wider becomes its diffusion. This is a very old experience, an incontrovertible fact. Tacitus rightly explained this peculiar phenomenon. He issued a decree that the books were to be burned; but as long as it was dangerous to publish them they were in great request, and were eagerly read; whereas as soon as people were permitted to possess them, they passed into oblivion.<sup>7</sup> The pornographic books, which during the last 500 years have been burned by the public executioner, which have been confiscated, and which have been repeatedly destroyed to the last copy, the obscene engravings of which the plates had been destroyed — have all these disappeared from the surface of the earth, have all these confiscations and condemnations of *livres défendus* been of any use whatsoever? No. All the pornographic writings confiscated and destroyed a thousand times over *appear again and again*; indeed, they have become more numerous the more the attempt is made to suppress them. The campaign against them has always been a campaign against a hydra, a labor of Danaides which has no object and only entails the disadvantage that, in the general zeal to put an end to immoral literature, scientific and artistic interests are most seriously endangered . . . Today the interest in social, scientific, technical and philosophic questions and in sport has become so great, and the interest in sexual questions has become so much more profound, that an overgrowth of pornography is no longer to be feared. From these facts we recognize at once the only way, and the right way, which we must follow in order to paralyze the evil influences of pornography. This is to take a proper care for genuine popular culture, to increase educational opportunities and to reduce the price of books."

Havelock Ellis, in his essays on "Love and Virtue"<sup>8</sup> observes that "there are now few things in life or in art which may not be 'lewd,' 'disgusting' and 'lascivious' (accepted synonyms for the legal obscene) to the feelings of some people and to the minds of others." He continues: "This has long been known to those who saw and realized the facts. It is extremely common in susceptible subjects, men or women, for ordinary, natural sights and incidences of constant occurrences to arouse sexual feelings ('lewd' 'disgusting' and 'lascivious,' if you find them so). In persons sensitive to erotic fetishism, as many if not most people are in some degrees, all sorts of objects, even of the least obviously sexual character, may become thus stimulating . . . If we are to abolish the possibly obscene, we must efface the whole world.

"Much of the same must, of course, be said of literature and art. There is no end to the list of famous books which obscenity-hunters banned or sought to ban. There appears to be no definition of obscenity which will not condemn the Bible. Moreover, on the practical side, it is known that the young find their chief source of information concerning sex — birth, mas-

turbation, birth control, rape and perversions — from the Bible." He quotes Dr. Catherine Davis, who studied a thousand unmarried women, all college graduates. They were asked what they found the most sexually stimulating, and the largest number replied "Man."

He adds: "Law is made ridiculous, when it is thus prostituted to the fashions of the hour. It is made immoral when it is perverted to the supposed protection of children. It used to be women and children who were held to be in need of such protection from the dangers of obscenity. It is now only children, for women have rightfully insisted that in this matter they are henceforth to be put on the level of men and not of children. The problem of the child remains. It ought to be clear that we are not entitled to protect children by laws which also extend to adults and thus tend (sometimes with too much success) to convert adults into children. It is for the parents and teachers to protect the children, and to protect them, above all, by teaching them to protect themselves, which can only be done by facing evil and not fleeing from it. Yet it is admitted that there is a twilight zone of disputed control between parents and government. In the realm of economics it is rightfully held that the forces against the child should be restrained by laws prohibiting long hours of work and similar hardships. But to protect the child against obscenity by legislation is not only more difficult and more dangerous but less necessary. Pornography has no meaning and no attraction for the healthy child who casually comes in contact with it; the reaction is one of indifference if not of disgust. Today if any harm is caused it is less likely to come from pornography than from the crudely exaggerated films of vice, presented by virtuous propagandists of social hygiene, which are apt to cause a painful shock to the virginal mind, just as the tender skin of an infant is injured by the water of a temperature wholesomely stimulating to the adult. There are many uncensored things in life far more injurious to the young than obscenity. Parents and teachers must be trusted to aid the child in guiding himself safely through these risks, without injury to the freedom of adults. Today this is being recognized, by parents and teachers alike, even if not yet always in the ways that are according to knowledge."

**E**LLIS recalls that in 1912 to 1914 was published the "Bibliotheca Germanorum erotica et Curiosa" by Hayn and Gotendorf. It revealed the extent, progress and national difference in so-called pornographic literature. It appears from this scholarly bibliography that translations from the French account for a large number of items. It is possible to form curves of the rise and decline of such literature; in 1815 and in 1870 it flourished — together with, whether as result or cause, the reaction against it — more than now, since now we possess greater freedom in permitted entertaining literature. In England it has been especially the literature of flagellation and of masochism which has flourished.

Ellis quotes Lawrence, again from his essay on "Pornography and Obscenity": "Without secrecy there can be no pornography. As long as there is secrecy there will be pornography. Obscenity there will be under all systems, for it has a legitimate and natural foundation; but the vulgar, disgusting and stupid form of obscenity called pornography—the literature and art that is a substitute for the brothel and of the same coarse texture—has its foundation, not in nature but in an artificial secrecy, so that the net result of that system of repression which still prevails among us is—to keep the world safe for pornography."

Ellis concludes: "For the truth is—one cannot too often repeat—that literature and art that are obscene in any genuinely objectionable sense will be unlikely to appeal to normally healthy minds when not surrounded by secrecy and prohibition. The market in pornography is artificially created, that is the central fact of the situation. No one would read a book because the Home Secretary recommends it; there is a vast public to read a book because he condemns it. He and his subordinates are responsible, not merely for the advertisement of what may properly be termed 'filthy' by conferring on it the charm of the forbidden, but, by creating the demand, they are directly responsible for the creation of the 'filth' which supplies the demand. That, we must always remember, is the central fact of the situation so far as the crudest and most offensive productions are concerned. It is the point on which the whole question of obscenity and censorship ultimately turns. For the wholesomely born and bred person, obscenity is no problem. Legislation is uncalled for when mischievous taboos are abolished. With children reasonably brought up—for which we need first of all the right parents—and progressively familiar from childhood with central facts of life, the perverse zeal of our Home Secretaries and Public Prosecutors will no longer create a market for pornography."

The Chicago Daily News of July 30, 1955, had an article under a Washington dateline headed: "Flood of Sexy Mail Here Probed By Post Office." Of an accused New York publisher it said: "If he is convicted, it will be his second offense. He spent three years in a prison as a result of a conviction in 1936. Last May he took the stand at a Senate juvenile delinquency hearing and talked freely about his persistent and profitable sales efforts since 1928 to get Americans to buy what he called European 'classics.'" Back in 1929 he said he served a year's sentence in Philadelphia for selling James Joyce's 'Ulysses.' Most of the time since then he has been battling postal inspectors.

"He estimated that he has distributed ten million sexy circulars in the course of his quarter-century of peddling 'classics.' He also distributes a series of nude pictures which are sold by numbers. He told Senator Kefauver that he doesn't think his circulars hurt kids. Kids don't understand what the circulars are about. He estimated that he has a mailing list of 400,000 names

and rents other lists. He recently bought a list of 70,000 names of persons who had purchased pin-up pictures at least once.

"He said his business grosses \$260,000 to \$270,000 a year. In his most recent brush with the law, a New York Judge threw the government's case out of court on the ground that search and seizures had been illegal. Whereupon the district attorney's office returned 70,000 'items' it had picked up in his loft."

**P**AGEANT, in its July, 1955, edition had an article, "Pornography is Flood-ing Our Schools." It described several incidents in the home life of families, the majority of them in the East, in which the mothers were shocked on cleaning out the pockets of the children to find the so-called eight-pagers in their children's possession. They would state that they found them or bought them at school. The so-called eight-pagers are cartoon booklets depicting various movie stars, well-known athletes, cartoon figures and people in the news. The drawings use these characters as the main subjects, showing various acts of bestiality and perverse sexuality. In addition to the eight-pagers, some contain as many as thirty-two pages, flaunting varieties of sexual acts.

These are traded from student to student. Sometimes one student will have the exclusive sale of these articles for that school. The purveyors of this lascivious material depend for a large share of their profits upon the lunch money and allowances of school children. These obscenities, in addition to the eight-pagers, are bootlegged photographs, playing cards, books, home movie films and phonograph records. An interim Senate report states: "The traffic in pornography is aimed at children. They are one of the prime targets. Sexual curiosity and immaturity of growing boys and girls make them the natural sale object for this type of sexual filth." The volume of traffic in pornography is estimated by the Senate committee at \$100,000,000 to \$300,000,000 annually.

Under Federal law it is a felony to import obscenities, send them through the mails or transport them by common carrier. Private cars and trucks are not included. One purveyor has been caught twice taking pornography from Illinois into Wisconsin. In both cases he was hauling the material in his own car; thus he was guilty only of violating state law, a misdemeanor. In each instance the offender was fined \$100 and given a suspended sentence.

The August 13, 1955 number of Ave Maria, a Catholic home weekly, has an article entitled, "Pornography Is Big Business." It cites the story of a police official who found half a dozen young men, 18 to 21, about to enter military service. They were having a going-away party, watching filthy films in a basement. The police arrested the man showing the films and through him traced the material to a man in a New York hotel. Witnesses at the Kefauver hearings testified that such men made regular trips along

their "sales routes," returning to New York to obtain their materials, some of them weekly, loading their cars each time with dirty pictures and books.

Father Daniel Egan of Garrison, N. Y., testified that many youngsters had been approached, flattered on having a "photogenic appearance" and induced to act as models. "For \$5 or \$10 these professional operators obtain a negative which they can print hundreds of times and distribute all over the country. Youngsters also told of seeing pornographic movies at teen-age parties held in homes where girls were supposed to be baby-sitting." Another witness said the trade in pornography extended over the entire country.

According to Pageant, the police in Washington, D. C., raided a room filled with high school youngsters. They were watching a film showing a group of naked people practicing every perverted act a twisted mind can conceive. Such party films typically rent for about \$5 and can be run off on any home movie projector.

I have heard of an incident in which the father of two boys, 16 and 13, found such material in his summer home. He punished the 16-year-old boy, who denied having the booklets. Later the father was shocked to learn that the material had been in the possession of the 13-year-old. In pursuing the incident further, the father was told that the material had been run off in the printing shop of a vocational high school after the teachers had left.

**S**ENATOR KEFAUVER summarized the findings of the subcommittee to investigate Juvenile Delinquency:

"There has been a recent sizable increase in the amount of pornography circulated in schools and other places where children gather. Sale and distribution of filthy books, cartoons and pictures have become a big business. The \$350,000,000-a-year industry takes advantage of legal loopholes to spread its slime. The 110% increase in sex crimes among juveniles must be attributed in a large measure to the growing flood of pornographic material."

He recommended that his subcommittee plan a program to close the loopholes:

"To seek to make it a federal offense knowingly to transport obscene material across state lines or to import it for sale or distribution. Present law merely bans such material from the mails and prohibits interstate transportation on common carriers.

"To recommend stiffer penalties of confiscation when pornographic material is seized. Confiscation might include the automobile or other vehicle, cameras and equipment, as well as the obscene films, books and pamphlets.

"To recommend sufficient personnel and funds for the Customs Service to check more adequately the filthy material coming into this country. At present, only 5% of the incoming suspect mail and film could be examined.

"To stiffen postal regulations regarding pornography."

A step has been taken in that direction by the House Judiciary Committee, which has voted to clamp a tight curb on the sale and distribution of obscene and lascivious material. The measure would make it a federal offense knowingly to transport such material across state lines, or to bring it from abroad intended either for sale or distribution.

Recently I was furnished with some copies of murals found at the excavation of Pompeii. One may assume that these have been retouched in that the size of the organ is unusually exaggerated. This is true also of the drawings in the eight-pagers 2,000 years later. Charles E. Smith, M.D., and Stanley B. Zuckerman, Ph.D., have confirmed this observation in their articles on "Prison Pornography" and "Sex Literature in Prison" recently published in this journal.

We know that visual representation of natural and unnatural sexual acts have been produced for thousands of years. Pictures of anatomical studies are proper in a medical setting, but lose their usefulness and purpose when viewed out of context.

We are admonished, "It were better for him that a millstone were hanged about his neck, and he be cast into the sea, that he should offend one of these little ones." Likewise we should be careful into whose hands this work of questionable value should be permitted to be sold, seen or possessed.

From Hamlet we remember: "There is nothing good or bad only thinking makes it so."

Sakini, in his opening curtain speech in "The Tea House of the August Moon," states:

"In Okinawa . . . wash self in public bath with nude lady quite proper."  
"Picture of nude lady in private home . . . quite improper."  
"In America . . . statue of nude lady in park win prize."  
"But nude lady in flesh in park win penalty."  
"Conclusion: Pornography question of geography."

So pornography can be defined as a graphic presentation which is objectionable to certain cultures by reason of religion, training, environment and education.

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## SOME PROBLEMS IN DEALING WITH HOMOSEXUALS IN THE PRISON SITUATION

CHARLES E. SMITH, M.D.<sup>1</sup>

OF the many problems facing the prison administrator, there is probably none more perplexing than that of the management of the homosexual prisoner. Often the problem is complicated by society's attitude of disapproval of sexual irregularity, so that those dealing with homosexual prisoners must be sensitive to public opinion concerning this deviation. In recent years there has been renewed interest in the problem of homosexuality, as evidenced by the publication of several popular books<sup>2,3</sup> which present the homosexual's relationship to society, as well as medical articles<sup>4</sup> which discuss the present-day concepts of sexual deviation. While such writing undoubtedly has some value because it tends to force the problem into the open, it does not offer a solution to the prison problem of management. Even if society were to accept homosexuality, the prison administrator would still be faced with the problem of providing safe and humane care for individuals who seek sexual relationships with persons of their own sex in a prison community where all those in confinement are of the same sex. In a previous study of homosexual Federal offenders reported by this author<sup>5</sup>, it was noted that there are inherent weaknesses in the diagnosis, classification and management of homosexual prisoners and there is a great need for research in this field.

The present study was undertaken in an attempt to test the validity of some of the criteria commonly employed in the diagnosis and classification of homosexuality. In addition, this study attempted a new approach — namely, to assess the attitudes of the imprisoned homosexual toward his condition, as well as his feelings toward the program which the institution affords him. With these ideas in mind, a questionnaire was designed to elicit the desired information, and each case was interviewed individually. To insure as much uniformity as possible in the approach and questioning, all interviewing was carried out by the author.

The material for this study comprised a group of sixty-one male prisoners who had been medically diagnosed as homosexual, and administratively classified and segregated as such, at the Medical Center for Federal Prisoners, Springfield, Missouri. There were twenty colored men and forty-one white men in this group. They ranged in age from 17 to 59 years, with approximately two-thirds of the group under 30. As in the group previously studied, these homosexuals were a rather heterogeneous group of individuals with various types of personality disorder, who had been committed for all types of Federal offenses. It should be noted that very few of these individuals were committed for homosexual offenses *per se*, because cases of

<sup>1</sup> Medical Center for Federal Prisoners, Springfield, Missouri

this type do not often occur within Federal jurisdiction.

Of the sixty-one men, twelve declined to answer the questionnaire, stating that they were not homosexual. In addition to these twelve cases, there were two who stated that they were homosexual, but refused to answer the questionnaire for personal reasons. The bulk of this report will deal with the remaining forty-seven individuals who stated that they were homosexual and voluntarily replied to the questionnaire.

#### PROBLEMS IN DIAGNOSIS OF HOMOSEXUALITY

**A**N interesting point is that a review of the records of the twelve individuals who denied their homosexuality showed that in each case there was a long-standing history of admitted homosexuality. Since the original diagnosis of these cases was based in large measure upon their own statements that they were homosexual, their denial at this time points significantly to the inadequacy of this diagnostic criterion for establishing the presence of homosexuality. In short, these findings indicate that diagnosis based upon the patient's own statement concerning his condition can be unreliable and can result in errors of classification.

The presence of so large a number of individuals who deny homosexuality, among a group who are segregated because of homosexuality, inevitably creates difficulty. For one thing, those who deny homosexuality complain that it upsets them to be segregated with the known homosexual group. Notwithstanding the fact that many of these denials probably do not reflect the truth, they do tend to undermine the program, and raise doubts as to its effectiveness. A related problem is contained in the oft-repeated statements by certain inmates that there are many homosexuals who get by undiscovered in the institution and thereby avoid segregation. Thus, if we can believe our inmate informants, there are some who are segregated as homosexuals who should not be, and there are others who escape detection.

In diagnosing homosexuality, the examiner tends to look for evidence of effeminate appearance, mannerisms or attitudes. As a departure from the usual method of having the examiner determine the predominance of either effeminacy or masculinity in a given instance, in this study each individual was asked to evaluate himself in this respect. Considering the group as a whole, it appeared that they were about equally divided — twenty-five regarding themselves as predominantly masculine and twenty-two as predominantly effeminate. Interestingly enough, in almost every instance the examiner's evaluation agreed with that of the individual, which tends to lend some validity to this method of self-evaluation. In any event, the findings, with regard to the incidence of masculinity and effeminacy in this group, offer further corroboration of the concept that homosexuality cannot be diagnosed with any degree of accuracy on the basis of presence or absence of effeminate traits alone.

As a corollary question to that of the predominance of masculine or feminine traits, each individual interviewed was asked whether he had ever worn women's clothing. More than half of the whole group gave a history of having worn feminine clothing at one time or another. While the majority of the individuals giving this history were effeminate-type homosexuals, it was interesting to find that half of the twenty-five masculine-type homosexuals in this series gave a similar history. Those who feel that individuals who wear clothing of the opposite sex tend to be homosexual will find some support for their belief in these findings. However, since most present-day authorities believe that transvestism and homosexuality may occur as independent phenomena<sup>6</sup>; some feeling that the majority of transvestites are heterosexual, it should be obvious that there are inherent dangers in making a diagnosis of homosexuality solely on the basis of a history of cross-dressing.

Characteristically, homosexuals are thought of as being sexually disinterested in persons of the opposite sex, or perhaps even incapable of performing satisfactory sexual relations with persons of the opposite sex. On this basis, the ability to perform sexually with an individual of the opposite sex has been considered as one of the criteria in the diagnosis of homosexuality. In an effort to test this proposition, each of the individuals in this series was queried concerning his interest in the opposite sex, and as to whether or not he was able to have satisfactory relationships with persons of the opposite sex.

THE results of this inquiry were rather interesting. Seventeen of these forty-seven homosexuals disclaimed any interest or experience in heterosexual relationships. Some of the responses elicited from the members of this group were the following: "I don't like women." "I just don't want to." "They remind me too much of myself." Seven stated that they had attempted to have intercourse with women on one or more occasions, but had found themselves to be impotent, unable to attain an erection, unable to have an ejaculation, or simply that they had derived no pleasure from the experience.

On the other hand, twenty-three claimed to be sexually adequate in their relationship with members of the opposite sex, and also said they derived satisfaction from these relationships. However, in all but a few instances, these individuals stated that the sexual relations were not as satisfying as those enjoyed with male partners. Several members of this last group had been married and had children. From these results it appears that about half of the homosexuals in this series professed disinterest and inability to perform sexually with women, while the other half claimed to be potent. The only conclusion that can be drawn from these findings is that the presence or absence of ability to perform sexually with an individual of the opposite sex cannot be regarded as a definite criterion in establishing the diagnosis of homosexuality.

Kinsey<sup>7</sup> noted in his recent book that females by and large have very little

interest in pornography. In fact, more often than not, females seem to find pornographic material repulsive rather than sexually stimulating. Because feminine traits and mannerisms are often linked with homosexuality, the author attempted to ascertain the attitudes of this group of homosexuals toward pornography. It was hoped that this might give a new lead in the diagnosis of homosexuality.

Thirty-three members of the group professed no interest in pornography. Some of the responses that these individuals gave were so characteristically feminine that they bear repeating. Among them were: "I don't like anything vulgar." "I think it is very silly." "I don't like filth." "I detest commonness in any form." "It's revolting." "It's more or less perversion."

Only fourteen stated that they derived any sexual satisfaction from looking at pornographic material, and it is interesting that all but two of these were masculine-type homosexuals. While obviously not conclusive, these findings are presented as an interesting lead for possible further inquiry and study.

#### PROBLEMS IN CLASSIFICATION OF HOMOSEXUALS

**A**TTEMPTS have been made to classify homosexuals as "active" or "passive" on the basis of the predominance of effeminate or masculine traits, as well as on the basis of their preferred sexual roles. It has been presumed that effeminate-appearing homosexuals tend to assume the feminine role in their sexual relationships, and on this basis they have been classified as "passive homosexuals." On the other hand, it has been felt that masculine-type homosexuals usually assume the male role in their relationships, and therefore they have been classified as "active homosexuals."

Since experience has suggested that there may be some error in the assumptions, it was felt that an effort should be made to test their validity in this study. Therefore, each individual interviewed was asked to state the role he preferred in his sexual relationships, and these replies were matched against the individual's classification as either effeminate or masculine. Eighteen out of the twenty-two effeminate-type homosexuals stated that they preferred taking the feminine or passive role in their sexual relationships. Twelve of the twenty-five masculine-type homosexuals indicated that they preferred taking the masculine or active role. Thus, about two-thirds of the cases indicated preferences for sexual roles that were consistent with their outward appearance, while the remaining one-third indicated preferences that were not consistent. Certainly, these findings indicate that the preferred sexual role of homosexuals cannot be accurately predicted on the basis of their feminine or masculine appearance, nor can valid classification as "active" or "passive" be made in this manner. Actually, as virtually all of these homosexuals were found to be actively seeking partners, none of them could really be called passive.

## PROBLEMS RELATED TO THE ATTITUDES OF HOMOSEXUALS

**T**HERE can be little argument with the proposition that society generally tends to condemn homosexuality. Kinsey has pointed out how firmly entrenched these social taboos are in terms of historical perspectives. Myerson<sup>6</sup> speaks of the homosexual in the military service as creating "disgust, derision and emotional states incompatible with discipline." Doubtless the same can be said for the homosexual in the prison situation.

There are those who advocate the perpetuation of stringent social prohibitions against homosexuality because they feel that this will discourage individuals from becoming homosexual, or even shame some homosexuals into renouncing their deviation. In this study, an effort was made to learn the extent to which these homosexuals may have been influenced by social strictures. The problem was approached by attempting to learn the attitudes of these individuals toward their homosexuality, proceeding on the assumption that these expressed attitudes must inevitably reflect the individual's reaction to social attitudes concerning his sexual deviation.

Twenty-three of the forty-seven homosexuals in this group disclaimed any feelings of guilt, shame or remorse relative to their homosexual activities. Each of these individuals indicated that he was completely satisfied with his means of sexual expression and saw nothing wrong with it. On the other hand, twenty-four members of the group expressed some feelings of dissatisfaction, shame or guilt over their sexuality. Seven of these last twenty-four related their feelings in this respect to the attitudes of society, so that their misgivings appeared to be largely in terms of their feeling that society disapproved of their homosexuality. From these results, it can be seen that only about one-seventh of the total group verbalized any indication that they were sensitive to social attitudes of condemnation of sexual deviation.

However, the fact that the cases were about equally divided among those who felt some misgivings and guilt over their affliction, and those who disclaimed any concern or dissatisfaction with their state, appears to have considerable relevancy when the matter of controlling homosexuality in an institutional environment is considered. For instance, one would not anticipate that those members of the group who find their homosexuality acceptable would show any great impetus toward controlling or restraining their sexual activities, even in the face of stringent prohibitions. In addition, individuals who are satisfied with their homosexuality would not be expected to make serious requests to have their deviated sexuality changed.

To gain some idea of the feelings of this homosexual group with regard to need for treatment, each individual in the series was asked whether he saw any need or had any desire for treatment. About three-quarters of the individuals in the group disclaimed any need for treatment, or any interest in treatment, while only one-fourth of the group expressed a desire for

treatment. Several of those who indicated a need for treatment stated that they would like to renounce homosexuality, but expressed some misgivings as to whether there was any treatment available that would render them heterosexual.

In this connection, it was interesting to find that seven of the twelve individuals who expressed a desire for treatment had also indicated that they were able to perform satisfactory sexual relations with women. Some of their responses when they were asked if they wanted treatment were: "I'd like to be completely masculine or feminine," "If they can make me one way or the other, I'd just as soon be all man," "It's the cause of all my trouble. I'm not happy with it."

REFERRING back to the information obtained in response to questions concerning the inmate's attitude towards his sexuality, it would appear that there is some discrepancy between the number who expressed dissatisfaction with their homosexuality and the number who expressed a desire for treatment. There were twenty-four individuals who expressed some dissatisfaction with their sexuality, whereas there were only twelve who indicated a desire to have their condition treated. There are several possible explanations for this discrepancy, the most probable of which is that some of those who expressed dissatisfaction with their state were simply giving lip-service to the idea, and really had no true desire to change. In any event, it seems safe to conclude that the majority of the individuals in this group are satisfied with their homosexual state and do not wish to change.

If one considers the fact that the homosexual relationship has all the attributes of affection, companionship and love found in the heterosexual relationship, the probability of these individuals desiring to change becomes even more remote. In general, these homosexuals appear to be striving for lasting relationships, and they seem to abhor promiscuity and immorality. It is interesting that these individuals write love letters to each other that are indistinguishable from those written by heterosexual lovers. As in the case of heterosexual lovers, these individuals regard their sexual relations as the ultimate expression of their love for their partners, rather than simply as a means of relieving sexual tension. Contrary to popular opinion, these homosexuals do not enter lightly into transient sexual relationships merely for sexual gratification. Instead, it appears that the principals in these homosexual alliances look upon each other as true lovers, or even as man and wife. Under these circumstances, they are concerned over the possibility of enforced separation from their loved ones, as well as over difficulties they might encounter in consummating their "marriages."

At Springfield, those who are diagnosed as being homosexual are assigned to quarters in a unit where each individual occupies a single cell. All activities in which these individuals engage are closely supervised and there

are explicit rules prohibiting physical contact between inmates. The homosexuals in this group are given only occupational assignments where they can be kept under close surveillance. Necessarily, this requirement does place some restrictions on the kind of assignments open to homosexual inmates. However, in most respects the prison program available to these individuals differs very little from that provided for inmates of ordinary prisons. In spite of this fact, from time to time these individuals have complained about the treatment they receive, and of the opportunities open to them. To gain a better idea of the sources of this dissatisfaction, each individual was encouraged to verbalize any complaints or grievances concerning his program.

More than half of the individuals in this group stated that they had no complaints concerning their prison program, many stating that they liked it because they were given individual cells. The remaining nineteen individuals who expressed dissatisfaction had various complaints, including a dislike for being quartered in a cell by themselves, and for restrictions and regimentation. They expressed a desire for more freedom and a few complained of the "stigma" they felt was attached to them in their segregated status. It should be apparent from these findings that these homosexuals do not verbalize any significant cause for grievance concerning the institutional programs that are available to them.

ONE of the aims of creating a closely supervised program for homosexuals is to afford them some protection from aggressive inmates who might attempt to use them as a means of relieving sexual tension. Another important reason for providing segregation for these individuals is to discourage and prevent them from entering into sexual relationships with one another. Both of these aims are undertaken to insure the safety of the individual, as well as the general welfare of the whole prison population.

It is probable that there are very few numbers of this homosexual group who are not aware of the aims and goals of the prison program designed for them. Therefore, it seemed reasonable to assess their attitude with regard to these factors, and each individual was asked to verbalize his feelings regarding his need for protection. About two-thirds of the individuals in this group indicated that they did not feel any need to be protected. The remaining one-third stated that they did see a need to be protected, and further, that they saw some value in the efforts that were being made in their behalf to accomplish this. A little over 80 per cent of these individuals stated that they believed it was possible to have sexual relations, notwithstanding the close surveillance, while only about 20 per cent stated that it was their belief it was impossible to have relations.

These findings regarding the homosexual's attitude toward his need for protection, and his feelings concerning the opportunity for sexual activity in prison, strike at the very core of the problem of institutional management.

of these individuals. It appears that the majority of the members of this homosexual group tend to deny the integrity of the program offered to them, since they do not accept the validity of the two most important goals of the program. Under these circumstances, it seems inevitable that there will be grievances and sources of dissatisfaction among the group. As long as a homosexual disclaims any need for protection in the prison environment, he will resent being segregated for this purpose. Also, as long as he feels that some of the members of his group are able to have sexual relations, he will be prone to have grievances in this connection.

The following quotation, taken from a letter received by the author from one of the inmates in this group, reflects these attitudes in the inmate's own words: "There are ways to alleviate this sexual outburst. For instance, put the married couples together in a cell with each other. You will be surprised how much less trouble you will have and how much more they will respect the officials. There will be fewer difficulties. One of the reasons they feel they are being chastised is because there are known deviates in other buildings and just a certain few are made to suffer and be chastized for it" [referring to those who are segregated].

On several occasions during the years that the author has been dealing with homosexual prisoners, he has heard them express their feelings that the social stigma associated with homosexuality has influenced courts and parole boards in dealing with their cases. In this connection, it is interesting that a recent newspaper account of a reversal of a conviction by the United States Court of Appeals gives one of the reasons for its decision as "that the cross-examination on the issue of homosexuality was to humiliate and degrade the defendant and increase the probability that he would be convicted, not for the crime charged but for his general unsavory character. Permitting it was an error [by the Judge]."<sup>9</sup>

To determine the prevalence of such feelings among the homosexuals in this group, each individual was asked to give his opinion as to whether he thought his homosexuality had any effect on the sentence he had received in the instant offense and whether he felt it would affect his chances for parole. About one-fourth of the cases said they felt that knowledge of their homosexuality by the court had affected the sentence. However, only a few of these individuals felt that their sentences had been excessive because of their homosexuality; rather, several stated that the court had remarked on their need for treatment. Almost half of the forty-seven cases interviewed said they were convinced that being homosexual had seriously affected their chances for parole. In fact, several of these expressed their belief that the parole board automatically denies parole to known homosexuals. It seems unfortunate that so many of these individuals feel that their homosexuality causes them to have no chance for parole, because inevitably this must affect their morale.

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## CONCLUSIONS

THE results of this study suggest the following outstanding problems in the institutional management of the homosexual:

1. Some of the criteria most frequently used in the diagnosis of homosexuality are found to be inadequate, because they are not universally applicable. It is suggested that if more absolute and irrefutable diagnostic criteria were available, it might lessen the incidence of complaints from individual homosexuals that they have been improperly diagnosed and classified.
2. Effeminacy, as manifested by professed disinterest, or even antipathy toward pornography, is suggested as a possible new lead in establishing the diagnosis of homosexuality.
3. The validity of classifying homosexuals as active or passive is questioned by the findings in this study.
4. In assessing the attitudes of the homosexuals in this group toward their deviation, there is not much indication that they are influenced by social disapproval. For the most part, these individuals appear content with their deviation and show little desire to change.
5. Although there is no doubt that the present method of segregating homosexuals offers the best answer to the administrative problem of handling them in the prison situation, this study suggests that the method is not without its shortcomings. In particular, there are indications that segregation creates a situation in which homosexuals are placed in close proximity to potential sexual partners, and therefore may result in increased sexual tensions among members of the group. In turn, these increased sexual tensions may be projected into grievances. These tensions can be relieved to a great extent by insuring that the personnel charged with the supervision of these individuals have a humane understanding of the problems involved.
6. The results of this study suggest that constructive efforts should be made to overcome the feelings of many of these homosexuals that they are treated with prejudice by courts and parole boards.

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## EMPATHY: TESTS FOR SELECTING PERSONNEL TO DEAL WITH PEOPLE IN TROUBLE

RONALD C. FORCE<sup>1</sup>

**T**HERE is a wide difference in effectiveness of behavior between different individuals in the corrections-treatment field. These differences are of only low positive correlation with such variables as general intelligence, position, tenure and, from our experience, even knowledge scores in the field of correction. This is therefore the relevant question: "What variables better predict staff member success?"

In an effort to answer this question so that staff replacements might be more like only the better of the contemporary staff, a wide selection of test items from many sources and points of view was framed, assembled and administered. Items were contributed by the supervisory officer and his staff, the chaplain, the social therapists, the executive officer, the psychiatrist, the education officer and the psychologist (who also selected items from File's "How Supervise",<sup>6</sup> and from the California Ethnocentrism and Authoritarianism scales).<sup>1</sup>

As time passed it became possible to make stable estimates of the overall effectiveness of each permanent party member in terms of his rated ability to contribute to the restoration of men who did not repeat their offenses. Then a separate comparison of each of the 218 items of the original omnibus test with the separately judged degrees of success of staff members was made. From this we found those items which better predicted later outcome. This first exploratory test was but mildly predictive. The validity is expressed by a correlation coefficient of only .20. However, there was a core of items which had subject matter common to each other which rather uniformly related to subsequently and separately-rated success or failure, both at the 3320 Retraining Group and at the Federal Correctional Institution at Seagoville, Texas.

The items which were rather uniformly useful in differentiating had to do with interpersonal relationships. Taking a cue from this, a special test of "empathy" has been constructed. Empathic ability is defined as "the imaginative transposition of oneself into the feeling, thinking and actions of another",<sup>2</sup> and "the sensitivity to cues which facilitate communication, understanding and insight",<sup>4</sup> and "as 'A' being aware of 'B's phenomonological world".<sup>3</sup> We are also interested in empathy because we noted a significant relative inability of retrainees to deal effectively with others, not only through aggressiveness and low conscience, but through inability even when motivated. To select the best potential as counselors throughout the group and also to have called to our attention those retrainees of lowest empathic ability, we set about to devise this objectively-scorable, self-administering measure.

<sup>1</sup> 3320th Retraining Group, Amarillo Air Force Base, Texas

The items are all of the true-false type, and worded in an informational, seemingly objective way, rather than in an inventory and self-reference manner. Though there was an immediate application in mind, the wording of the fifty nine items now comprising the test is without local reference, so that the measure could be used more widely.

THE test item content was determined by hypotheses along the following lines about many individuals who cannot empathize with others: They may believe in and attempt to understand and to predict the behavior of others by means of the typing of people. They preponderantly attribute others' behavior, and their own, to external causes. They wish to remain isolated from others and do not wish to be "messed with." They find other persons unpredictable. Since they do not make distinctions in motivation, they are left with a moral crudity. By exclusion of successful relations with others, they are more interested in things. Unable to understand others, and therefore lacking ability to establish communication, they tend to be suspicious. They are inclined to dichotomize people, disregarding degrees along the trait continuum. They do not understand or value emotional communication, as by the arts, which others appreciate. They tend to be "tough," "realistic," more for justice than for mercy, since this way of handling people does not require evaluation of individual motivation. For similar reasons, they emphasize propriety and rationality. They are rule-bound and rigid. Through jealousy, non-empathizers oppose empathizers.

The test was administered to several populations upon which empathy rankings could independently be obtained. Those were of technical instructors (N of 35), technical school counselors (N of 20), general instructors (N of 29), and of a mental hygiene class (N of 30). Several attempts were also made, employing populations independent of the above populations, to shorten and sharpen the test. An item analysis was performed with the top and bottom 27% (Ns of 73 and 73) of 270 retrainees rated for empathy during interview. A subsequent item analysis was performed, and only those items passing all these hurdles and having semantic communicability have been retained in the current, fourth form having 59 items.

The reliability of the current form of the test is .89 (N of 50), corrected by the Spearman-Brown prophesy formula. The empathy test tends to differentiate better at the "poor empathizer" end of the scale. This is especially so because the criterion ratings were more sensitive within this range. The validity correlation between the 35 technical instructors rating on empathy and their score is .50; the corresponding correlation for the 20 technical school counselors is .49; and for the 29 general instructors, .40. The correlation between the empathy test score when the test was taken the fourth hour of the semester and final grade in a Mental Hygiene course is .65 (N of 30). This is the only case in which the instructor and criterion rater was also the test constructor, and open to the possible criticism that the instructor un-

consciously taught and later tested upon content of the test. There is a correlation of tested vs rated empathy of .54 when test author is rater (N of 50). These correlations of about .50 with independent ratings of empathy are believed to be within a useful range if there is a favorable selection ratio.<sup>9</sup> On a recent survey within our group, we found that of those staff members who scored in the top 25% of the empathy scale, upon entrance into the Group, 92% are later rated average or above in "overall retrainee effectiveness as rated by their job supervisors" (N of 50). This was essentially our aim in devising the test.

Our interest in the use and refinement of empathy measures continued. To furnish a separate judgment of the degree of empathy of tested individuals, a special keying of the Kuder Preference Record, Vocational, Form CH has been made by standard item validity procedures, using independently-rated persons as the criterion group. An inspection of the significantly differentiating items of the Kuder by skilled judges gives the following composite picture of the non-empathic individual:

- (1) He ordinarily separates himself from people spatially and emotionally. He finds isolation (lighthouse keeper, farming, island-living) appealing, shuns cooperative enterprises, and chooses "lone wolf" and outdoor occupations and avocations. He prefers overt handling of concrete, mechanical things (heavy equipment, sculpture, book-binding, watch repair) and is an uncreative, static, unimaginative "drone", working at a low level of abstraction (counting, compiling data, keeping simple records). He chooses to be with animals rather than work or relate with humans. He is not intellectual. He has no cultural interests, cannot feel communication via the arts. He is rural, provincial and introverted, not integrated into society and not socially responsible. His morale is not high, and he invests energy in work more on a compulsive basis.
- (2) When he is with people, he relates differently. He relates superficially (jokes, caricatures) and is poor in verbal and emotional communication. He dislikes having the spotlight himself, but chooses to be in the midst of a noisy crowd; (he wants to conform but also to be vicariously conspicuous), and can be dependent upon people *en masse*. There is lack of self-confidence, and insecurity (would even prefer that others choose his clothes; expects and prefers personal loans from friends). When forced into responsible interpersonal relations, he becomes "hardboiled", aggressive-dominant authoritarian, not regarding others as peers and equals, but manipulates them with no more compunction than if they were things.

**A**NOTHER source of a description of the personality characteristics of empathic individuals is to note the correlation between rated empathy and

various objective scalings of personality dimensions, as on the Minnesota MultiPhasic Personality Inventory, the Kuder Preference Test and a verbal intelligence test (N of 50). There is a .50 correlation with intellectual efficiency (social objectivity, not fixated personality, a personality free from trauma residues, with morale, confidence, "big"-ness, honesty), and rated empathy, and a correlation of .57 between intellectual efficiency and empathy test scores; .40 correlation with socio-economic identification; .38 correlation with social service interest.

There is less but still significant correlation also with dominance (.30); defensiveness and attempts to appear favorably (.30); social responsibility (.27); femininity of interests (.27). There is inverse relationship between rated empathy and the following personality characteristics: Minus .37 with anxiety; minus .35 with a scale (F) measuring unusualness; minus .35 with hysteria (denial of psychological causes for his symptoms). There is lesser and still negative correlation with schizoid traits (minus .30) and mechanical interest (minus .30). It can thus be seen that the individual who has been favored in having a relaxed emotional and intellectual upbringing has been able to maintain efficient and non-fixated emotional and intellectual processes, has not had to be self-protectively subjective and fleeing to the simpler world of things, but can extend energy in broader social identification and responsibility.

Two quotations from "The Status of Empathy as a Hypothetical Construct in Psychology Today" are enlightening. Snygg says: "The results of Dymond, Sheerer and Stock all seem to substantiate the theory that a person who feels relatively free and unthreatened, who does not need to devote all his energy to hurried efforts to prop up an unsatisfactory phenomenal self is more able and willing to accept others, to see them as they are and to understand and share their feelings without face-saving distortions.<sup>3</sup>

Luchins said: "Analysis of the findings suggested that certain factors tended to interfere with an individual's understanding of another individual or of the nature and direction of group activities. These factors include: centering on one's own needs, emotions or purposes, focusing on only one feature of an individual's behavior, focusing on only isolated individuals in the group, or on one event or on one emotional nuance of the group session; stereotypes concerning the relationship between physical features and personality traits; prejudices regarding an individual's race, religion or nationality; lack of information concerning what had happened in previous sessions; lack of knowledge of group standards; viewing a patient or the group in terms of psychiatric information; keeping a distance between themselves and the others because of reluctance to become involved in group activities."

**T**HREE are several general points on the use of selection devices upon which I would like to comment.

1. This empathy test will be of little use to an institution which may be satisfied with "make the punishment fit the crime" as their aim, though a different test could possibly be constructed for this situation too.

2. A selection ratio is imperative with any selection device, be it a test, an interview, a personal history form or a combination of these. If a selection device is working in the right direction (has a positive and significant validity coefficient), to increase the number of applicants for the number of positions to be filled is the same in effect as having a more powerful selection instrument. For instance, if one half of the present employes are considered satisfactory, and a selection instrument valid at .50 correlation level is available, and if 90% of all those who apply must be retained, then there will be only 4% more of satisfactory employes than previously. But if recruitment and incentives are so effective that three out of four applicants can be rejected, using the same selection procedures, there will be an increase of 25% more satisfactory employes.<sup>9</sup>

3. Despite the order in which they are presented in "A Manual of Correctional Standards"<sup>10</sup> I would recommend that personality, intelligence and other aptitudes and interests applicable to the broad job area be located first, and that job knowledge (merit rating) be subsequently and secondarily considered. A man with sufficient all-around aptitude and interest for a broad job area can quickly surpass — and do so with less drain on the training program — a man with low aptitude but much exposure.

4. Selection devices geared to the over-all philosophy of the specific institution should apply to all the staff. An authoritarian supply man in the midst of an otherwise permissive institution causes conflict and friction, undoing the effort of others. As pointed out in "The Therapeutic Community," the better way to employ a medical staff may be to gear them to work with and through all employees rather than to work as isolated specialists. For Barnes and Teeters<sup>2</sup> observe, "we find that the persons who exerted the greatest influence on the thinking of the boys were not the professional groups." From this they conclude that training for all positions is important. It follows that critical initial selection, in terms of receptive personality characteristics, is equally important.

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*Point of View*

## PSYCHOTHERAPY AND ITS LIMITATIONS

CHEMOTHERAPY'S growing bid for the attention of the practitioners dealing with mental illness and related problems raises crucial questions as to the ultimate status of unalloyed psychotherapy. Reports on the use of tranquilizing drugs and other pharmaceutical agents in the alleviation of mental disturbance indicate a considerable initial success, with the promise of further advances as experience accumulates and the development of these and other chemicals is extended. The dawn of what would seem to be a new epoch in therapeutics takes on added significance from its coincidence with challenging evidence of somatic factors in some conditions formerly regarded as psychogenic. Though it is early for unqualified assessment of chemotherapy's role, or for the precise charting of changes in clinical concepts, the transitional trend is apparent.

Meanwhile, it is timely to consider whether psychotherapy as a distinct entity has justified the importance long attached to it. We have spent fifty years or more in the realm of psychiatric thinking and the results we have achieved, although undeniably effective and even epochal in some fields, have left something to be desired in their impact on the total problem. Especially is this true in the fields of aggressive and anti-social behavior. For a long time we have leaned heavily on the rationalization that the scarcity of psychiatrists and the limits imposed by the rigors of their practice have permitted only a segment of the specialty's potential to be implemented; but in the meantime the growth of mental illness and the social problems associated with it has continued to outpace the training of qualified practitioners. Is it not true that, in our preoccupation with psychiatric principles, we have blinkered ourselves with a kind of tunnel vision, focused on psychogenic concepts to the exclusion of pertinent considerations in the somatic field? The proper study of mankind and its ills is, as it always has been, man, total man, and not his psyche alone.

Many practitioners have long felt that the behavioral sciences do not provide a complete answer to the problems of mental illness. Great as the contributions of psychiatry have been to an understanding of the mind and its infinite variations, and to the clarification of man's behavior in all its aspects, the philosophical and analytical approach alone has always left a residue of unanswered questions. There has been at least a tacit conviction

that the results claimed for it, although dramatic and gratifying in some specific instances, were offset in a considerable degree by negative prognoses in other categories and by the questionableness of many ostensible recoveries. Experience has indicated increasingly that the hypotheses of Freud and other lesser saints of psychoanalysis were imbued with an exaggerated significance when they were elevated to the rank of dogmatic criteria. Freud himself made reasonably plain the tentativeness and variability of his discoveries and deductions when he said that psychoanalysis was a statue of iron with feet of clay. What he found to be true in his own time, culture and environment loses some of its persuasion when applied universally. Many disciples and adapters of the psychogenic doctrine have been independently convinced that non-medical techniques encounter large areas of sterility.

Along with the unquestionable benefits and usefulness of psychiatric knowledge in medical and other academic fields, there has been an extensive and deplorable side effect in the propagation of underqualified practice. Lay therapists, in the guise of personal or family counselors, have spawned a veritable cult, using professional jargon to delude the susceptible by offering abstruse placebos as panaceas. Even in the professional realm, overenthusiasm and misguided extravagance in reliance upon psychiatric equipment alone raise questions of propriety. Dignified medical practice would be served in more ways than one if the role of psychotherapeutics were clarified in terms of both its uses and its limitations.

It is instructive to observe that much of the progress made in the treatment of schizophrenia has resulted from a coordination of psychotherapy with technical and pharmaceutical aids. This demonstration of the virtues of a multiple approach points to the reasonableness of exploring other fields in which it may prove fruitful. Progressive work is advancing on several fronts; the labyrinthine physiology of the brain, the subtle intricacies of metabolism and other stubborn secrets of biochemistry are gradually yielding valuable knowledge that may be fitted into a concerted attack on the salient difficulties of all medicine. Lest we be tempted to regard this development either as a miracle or as a radical departure, let it be remembered that the concepts of therapy are never static: what was progressive yesterday is conservative today; frontiers are repeatedly transformed into established domains; the wave of the future soon becomes the main current of the present. In medicine, as in other sciences and in technics, discovery, invention, deduction, evolution and adaptation ceaselessly push into new fields, opening vistas of endeavor previously only dreamed of, responding to the challenge of need, giving substance to the vision of pioneers. It is only to be expected that this phenomenon should continue to operate in the evolution of therapy.

The compartmental idea in medical and social therapy, attributing self-sufficiency to any department or specialty and splitting practice into mutually

exclusive camps, has always had obvious defects. The multiple technique for a competent orchestration of the total resources of scientific and technical research and practice is needed for a sounder approach to therapy.

### THE USES OF INSIGHT

THE belief persists in some professional circles that society is not yet ready for full insight into the springs of its own behavior. The argument is offered that not all men and women should be trusted with a broad understanding of the underlying motives of their conduct. This demurrer is based upon the presumption that some persons are unequal to the management of a life in which subconscious as well as conscious segments are brought into awareness, and that others might take evil advantage of a recondite knowledge in which all did not share. How valid is this doctrine of obscurantism?

Instead of arguing that the progressive fruits of a broad-gauge knowledge need to be husbanded by the initiate, to be administered by prescription to fit the patient's need, isn't it more cogent to ask how long the world can get along without the widest possible dissemination of as much understanding as is now available? The danger would seem to be, not that too much perception and discernment can be brought to bear on individual and social ailments, but that too little use is made of the equipment at hand.

We know that the disparity between a normal person and an emotionally disturbed one, between an integrated individual and an alcoholic, between a eupeptic and a hypochondriac, between an earnest striver and a criminal offender, is a matter of degree rather than of essential difference. One has only to look honestly into his own heart to recognize that all of us are subject, more or less, to impulses that, when not controlled, lead to aberrant behavior. How the gap between these two states is bridged, why and how some of us remain on the side of conformity while others stray into difficulties, where to find the critical point at which potentially troublesome tendencies are braked or permitted to run wild — that is a basic question in any endeavor to improve the balance between health and rectitude, on the one hand, and pathology and offense, on the other. That objective can hardly be well served unless some of the techniques of psychological penetration are made a part of popular knowledge, helping anyone who is capable of wielding them to regulate and adjust his own and others' lives.

An appalling lack of self-knowledge, and therefore of a knowledge of the true nature of humanity, is implicit in many of the bumbling failures to come to grips with social problems. The shortcomings of police work, the misguided aspects of much judicial and correctional procedure, the lack of firm personal guidance in schools, and the damage done in homes by parental

reticence, ignorance or indifference — such foci of community infection could be made less malignant if the prophylaxis of informed insight were more widely disseminated and used. The pontifications of self-anointed experts on social problems, offering demagogic solutions for complex questions, often reveal the poverty of real understanding that vitiates much of what passes as remedial endeavor.

The timid approach to the uses of insight treats psychological penetration as if it were a modern invention, designed specifically as a psychiatric tool. What is insight, after all, but a purposeful heightening of intelligence and instinct, a sharpened, informed and directed use of the old-as-man gift of intuition? The word, in its primary sense of seeing with the eyes of the mind, has been a staple of language for at least 700 years. The faculty has been an ingredient of plain wisdom down through the ages; consider how Shakespeare and his compeers, not to mention mythology, folklore and old wives' proverbs, intuitively anticipated many of the epochal judgments of modern clinicians. If it has helped to adumbrate the anomalies of psychopathology, it has also illumined and thereby strengthened the bases of mental health. By extending these observations, increasing their depth, widening their scope, supplementing them with new discoveries, collating them and applying them practically to current problems, the cumulative wisdom of all time can be implemented. If there are skeptics who question even the dynamic power of the subconscious, if there are others incapable of using insight or unwilling to do so, if there are perfectionists who would reserve knowledge of the total self for expert administration, need that prevent the rest of us from making the most of these subtle instruments and encouraging others to do likewise?

Isn't it incongruous to question the ethics of insight-giving when the jargon of psychiatry already spices the thesaurus of conversational clichés, when amateur analysis flourishes as a parlor game and when the professional market place abounds with underqualified dispensers of psychotherapeutic guidance? Between the two extremes — the dangers of a little knowledge and the notion that too much knowledge is dangerous — there is a sanguine, tenable middle ground. Much of the wisdom gleaned from experience and enlightenment, too often gained dearly in life and sometimes even too late, can be marshaled to serve as guidance in the years when it is most needed. It would be helpful, for example, if young people were able to recognize that the libido is something shared by most living creatures as a natural means of imposing the responsibilities of procreation and child-rearing. It would be profitable if more parents and their children understood better just how parental character affects the course of youth, and how the conditions of emotional balance in the home are likely to be duplicated in the homes of children who come from it. It would be wholesome if early errancies and excesses were explained more clearly as products of remediable

deprivations, disappointments and frustrations. It would be fruitful if all concerned were made more aware of the vital power in young lives not only of love but of justice and respect for individual integrity. It would be constructive if more of us discerningly examined the customs, viewpoints and motives of other races, peoples and lands, and of other times, the better to understand the evolution of the standards and restraints by which we live. These and many other elements of useful sophistication could well be, and no doubt some day will be, added to the armament of education.

Insight, of course, is not a magic formula, or a complete answer to society's troublesome dilemmas. But further cultivation and use of this enlightening faculty would help to dissolve difficulties in many lives. Certainly it is not an esoteric reserve that should be fussily restricted or superstitiously repressed.

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**I**N THE REALM of the mind there are psychological expenditures and profits; I would even go further and say there are psychological savings, loans and debts . . . The hypothesis is that things take place as if there existed in each individual a given quantity of a particular force, which is expended in costly actions, which is restored in sleep and in inexpensive actions, and which we can agree to call psychological force . . . Continual association with friends is sometimes a source of stimulation and enrichment, but it is very often a source of expenditure of energy and exhaustion . . . I collected data on thirty households in which at the beginning one of the spouses was healthy and the other seriously neurotic, and I discovered that after ten years of living together both of the subjects were ill and depressed. In this case, contagion is a sort of exhaustion brought about by the continual presence of an individual who is tiring and exhausting, that is, "expensive." — *Janet*

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It is hard for me to understand women who love shopping for its own sake . . . A few women I know buy in a kind of gluttony to compensate for lack of love. But a glutton can never be satisfied. If there is not enough love to fill them, there is food, but never enough; there is drink, but never enough; there are sorrow or adulation or success or power or fame or punishment, but never enough. Of nothing is there ever enough for a glutton — *Doris Fleischman Bernays* in "A Wife is Many Women."

## *Book Reviews*

PRESENT-DAY PSYCHOLOGY, Edited by A. A. Roback, Philosophical Library, New York, 1955.

A VOLUME so comprehensive in range as this one could come only as the product of an editor with not alone the breadth, but also the length of experience in his field that Professor Roback has enjoyed. The perspective is panoramic, with the rare and unusual finding equal place with the routine. Along with such topics as Perception, Attention and Memory, and such branches as Child, Adolescent, Applied and Social Psychology, there are articles covering Sociometry, Somekonics, Glossodynamics and Psycholinguistics.

Each chapter has been written for the volume by one prominent in his field. For a book of such broad coverage this is especially important, inasmuch as the less ordinary or controversial topics are not left to the perfunctory dismissal of a distant and cynical critic, but are presented by their chief proponents, allowing the reader to find whatever factors of positive and constructive value each has to offer.

As in all multiauthored works, there are variations in style and structure. Some chapters are comprehensive reviews, e.g. Keegan on Recent Findings in General Neurology; some are historical, e.g. Harriman on Abnormal Psychology; some are expository, e.g. Moreno on Psychodrama. But each style seems appropriate for its particular subject matter and the quality of the material is generally high. Most of the chapters have excellent bibliographies.

Among the authors represented are twenty-two academic psychologists, nine of whom are department heads, two research psychologists, two members of the armed forces, nine psychiatrists, three editors and two philosophers.

One important negative comment must be made. There is an index of persons, but in a book that could be a valuable reference source the omission of a subject index is a serious deficiency.

FABIAN L. ROUKE

A WIFE IS MANY WOMEN, Doris Fleischman Bernays. Crown Publishers, Inc., New York, 1955.

LIKE the multi-faceted woman whose dilemmas she dissects, Mrs. Bernays enjoys several claims to attention. She was a pioneer girl reporter and women's feature writer. She is the wife of Edward L. Bernays, who is identified on the book's jacket as U. S. Publicist No. 1. She is thus a niece by

marriage of Sigmund Freud. As partner in her husband's public-relations business she has helped mold the tastes and opinions of a large part of the world. And, by her own account, she is the happy and successful mother of a thriving family. From this comprehensive position of privilege and experience she looks into her own and other wives' lives, enumerates their difficulties, analyzes their frustrations and tries to sort out some solutions. As is to be expected, in view of her background, hers is a slick, furbished performance, keyed to easy reading, effortless absorption and unconscious persuasion. In contrast with Simone de Beauvoir's "The Second Sex," it skirts the profundities of the battle of the sexes and the stridencies of ultra-feminism, addressing its message more to the idea of intelligent conformity with prevailing social norms than to the avant-garde reaches of protest and dissent. Indeed, it would seem that Mrs. Bernays has marshaled her sophistication, wit and considerable facility preponderantly on the side of conservatism. What stands out in her self-portrait is the outline of a woman who has grappled with all the quandaries of wifehood and has found that the rewards outweigh the vexations. It is significant, and implicit in her total impression, that she is a product of an authoritarian, inhibited childhood and a exemplar of deference and even reverence for her husband. In fact, "Eddie" emerges as quite the hero of the piece. One misses, and would have welcomed, a more intimate treatment of her opportunities to observe Freud at first hand; there are only oblique references to "Eddie's Uncle Sigmund." But perhaps that is substance for another book. As it is, this is a useful and inspiring volume for the women to whom it is addressed. It would have a pertinent place in, say, the waiting rooms of gynecologists and pediatricians.

THE TROUBLE WITH COPS, Albert Deutsch, Crown Publishers, Inc.,  
New York City, 1955.

THIS book contains little of value for the professional reader. Lacking adequate research and advancing concepts which do not seem to have been balanced against a large store of opinion available in the field, the work points up a defect too often foisted upon the public under the guise of expert opinion. It is all too clear that sources have been examined singly and a broad sampling of opinion in the law-enforcement field are lacking. It is unsound practice for any writer, whose full-time preoccupation is not focused upon a particular line of endeavor, to profess knowledge not based on broad and inclusive research.

Many of the problems of law enforcement agencies are aired. Corruption, criminal influences, politics and low pay and their effect on police practice are enumerated but, as any tabloid reader knows, these are long standing difficulties and the solutions advanced are too pat to be reflective of adequate study. That more and better cops are needed and that they should be given

the advantage of greater scientific and procedural instruction is a sound concept but hardly a new one. That politics and corruptive forces prey effectively on the operation of police departments in many municipalities is certainly true but one could question any reasonably intelligent ten-year-old boy and gain the same information.

The career of August Vollmer, outlined here as elsewhere, is a fine example of dedicated public service and his contributions to police science and law enforcement techniques shall not be challenged on these pages. However, the implication that this one man has been the sole wellspring of advancement during the past fifty years certainly will be. For the author reflects little credit on Vollmer or his profession by not giving his readers a look at some of the other progressive work done in the field. Indeed, in the light of perspective Vollmer's could clearly be made more impressive.

In the chapter on lie detection, an account of some of the more highly publicized practitioners' methods are recounted but to the exclusion of sounder scientific efforts by others. In his conclusions made in this chapter the author calls for further research by "psychiatrists, psychologists and other professionals," and he goes on to say that, "Far more research is needed before the results of lie-detection tests can be brought into courts as valid evidence." It would have been more to the point for Mr. Deutsch to have investigated some of the scientific work on lie-detection that has already been accomplished, as well as to have advanced the notion of many engaged in the work that the use of the technique is more practical for police work at the investigative stage than for eventual use as evidence in a trial.

It is supposed that the author has in mind a popular market for his work. Certainly, the cursory fashion of handling the material can hold little interest for the professional reader. Probably this reviewer lacks enthusiasm particularly because there has long been a need for a book of this sort and an enlightened and lively treatment of the subject matter dealt with. The need still exists.

SIN STREET, Paul N. Deadwiley, Pageant Press, Inc., New York, 1955.

THIS violent and savage tale was written by a young man who is serving a double life sentence at the Virginia Penitentiary for the murder of two policemen. He had emerged from long service as an aerial machine-gunner during the war with five battle stars, the Presidential Unit Citation, an ADSM, and a letter of commendation from the Pacific Fleet Commander in Chief. Later, while stationed in Norfolk, Virginia, he had a seizure of acute battle fatigue, became involved in a gunfight and the two deaths were the result. The psychiatrist who examined him reported that the shooting was "the result of a compulsive reaction when confronted with danger, similar to the ones experienced in combat." In prison, he has occupied himself with

painting, studying and writing, and this book is one of the results of his efforts.

It is a novel, not an autobiography, but one feels that he is writing about the life most familiar to him. It is a story of people whose reactions to experience are primitive, lusty and uninhibited, and whose patterns of living are in the main uncomplicated by the more softening influences. This is life in the raw, where people yell instead of talk, use obscene epithets, hit each other, make love indiscriminately, and where brothels, disease, rape and murder are part of everyday life. Through it all, however, are the stirrings of the soul, the yearnings for something more enduring and satisfying, the pitiful hopes that it has been found, and the violent, savage despair in disappointment.

The hero, Ed Colbert, comes back from the war to his father, who is dying of the more unpleasant manifestations of diabetes and perhaps other diseases, a nagging mother, a hymn-singing married sister and a younger sister soon to become a prostitute. He embarks on a scrap-collecting venture doomed to end in failure. Through various women he gropes for satisfaction, physical and spiritual. His first love, whom he had idealized, has in the meantime become a prostitute, her face covered with rouge, and reeking of cheap perfume. The beautiful madam of the brothel fascinates him, but with her, as with his father, he seems to be continually in conflict. His wife Rita, who tricked him into marriage, is voluptuous and physically satisfying, but in the end her poverty of spirit makes him hate her, too, and plot to leave her. The only person who brings him any peace of mind is his little crippled niece, Edie, a child who worships him in spite of everything and clings to him in steadfast adoration. His realization at the end of the book that it is he himself who is the chief cause of his own frustrations and disappointments makes him turn about-face with new determination to adjust himself, to accept his life in a more constructive spirit and not to fail little Edie, who has faith in him. He becomes quieter, with the beginnings of purpose replacing violence, despair and vengeance. The unprofitable scrap-collecting scheme is finally abandoned, he returns to his wife for a second trial and goes out to look for a job.

**WE DIE ALONE**, David Howarth, The MacMillan Company, New York, 1955.

THIS fascinating book, an account of an escape from the Nazis in occupied Norway during World War II, is a true story. It was told to the author, David Howarth, by Jan Baalsrud, the hero of these adventures, whose courage, endurance and quiet patience in the face of overwhelming difficulties and dangers is almost unbelievable. It was not until ten years later that these two men were able to go over the details together in preparing this book. To be sure of their accuracy, they journeyed again to the far north of

Norway, where they retraced the eighty-mile trek taken so perilously by Jan in 1943, and met again the many people who risked their lives to help him.

It is the story of twelve Norwegian saboteurs, who sailed in March, 1943, from the Shetland Islands in a small fishing boat, the *Bratholm*, bound for their native Norway. Disguised as fishermen, they planned to take arms and equipment into Norway to aid the resistance, and eventually to destroy an important German airfield near the Arctic Ocean. This courageous attempt came to nought, as might be expected. The Germans were alerted to their presence within a few hours, and eleven of the party were captured and later tortured to death or shot. Only Jan eluded the fifty Germans who were after them. Through a series of escapes, almost too miraculous to be explained, he was able to cover, in short, painful sections, the eighty miles into Sweden and safety by June 1, after being exposed to the elements for several weeks, and even being buried alive in the snow while lying in a sleeping bag on an uncomfortable sledge, and suffering from gangrene. There were days in which he had no food. He finally amputated nine of his toes with a pocket knife, having no anesthetic except brandy. The operation took him three days, and later he was complimented on his surgery by a doctor in a Swedish hospital, who said he had saved his feet by this amateur operation.

Although many patriotic Norwegians were involved in his escape, not one was ever discovered and punished by the Germans, probably because of Jan's efforts to protect them, sometimes at the jeopardy of his own safety. If sent by one person to another in the next village, he would never reveal the name of the person who had forwarded him on, even though this subterfuge sometimes aroused suspicion. He also took the precaution of asking for more than one name, so that the sender would also be in ignorance of the exact person to whom he had gone.

The book holds the reader's interest throughout; Mr. Howarth has done a thorough job in giving all the details of each harrowing experience, so that curiosity is completely satisfied. However, the fact that it was written by someone other than the man who actually went through these adventures prevents one from identifying completely with the hero, in this reviewer's opinion. If it had been ghost-written for Jan in the first person, it might have had a more authentic ring, even though one knows that every detail was carefully verified with Mr. Baalsrud by the author.



I have often felt tempted to advise my patients to conceive of the psyche as of a subtle body, in which subtle tumors can grow . . . The symptom is like a shoot above ground, yet the main plant is an extended rhizoma under ground. — *Jung*

